Teaching Council of Aotearoa New Zealand

Minutes of the Governing Council meeting

**RĀ	DATE:**	28 March 2024
**WĀ	TIME:**	9:00am – 2:20pm
**WĀHI	VENUE:**	Teams videoconference
**MANATŪ KAUNIHERA	GOVERNING COUNCIL ATTENDEES:**	- Robyn Baker (Pou Whakarae | Chair) - Ripeka Lessels (Pou Whakarae Tuarua | Deputy Chair) - Elg Anderson - Carol Cheng - Mike Connor - Karen Coutts - Dagmar Dyck - Fiona Ell - Melody Stuckey - John Tait - Pat Newman - Patrick Walsh
**KAIMAHI	STAFF ATTENDEES:**	- Lesley Hoskin (Tumu Whakarae | Chief Executive) - Clive Jones (Pou Amo Ratonga Mahi | DCE Operational Services) - Pauline Barnes (Pou Amo Ngaiotanga | DCE Professional Services) - Tamahau Rowe (Pou Kaiāwhā Māori | DCE Māori) - Ian McEwan (Chief Financial Officer) – items 7.1, 7.2 - David Choat (Chief Education Advisor) – item 3 - Sharon Coulton (General Manager Relationship Management and Pathways) – item 3 - ▉▉▉▉▉▉ (Lead Advisor, Policy and Implementation) – item 3 - Michael Thorn (Manager Policy and Implementation) – items 3, 5.1 - ▉▉▉▉▉▉ (Lead Advisor, Policy and Implementation) – item 5.1 - ▉▉▉▉▉▉ (Senior Governance Advisor)
**MANUHIRI	GUEST ATTENDEES**	-
**WHAKAPĀHA	APOLOGIES:**	- Lorraine Carr

Ripeka Lessels opened the meeting with a karakia.

1. In-committee

The Governing Council had in-committee time.

During in-committee time, the Chair of the Human Resources and Remuneration (HRR) Committee gave an update on the Chief Executive's performance and remuneration review for 2023, which is now complete, and the Chief Executive's KPIs, which have been agreed for 2024.

2. Opening items

2.1 Apologies

Apologies for the meeting were noted.

2.2 Interest Register

The Council noted the Interest Register.

███ The Council agreed that although these interests may create a perceived conflict of interest, they do not constitute an actual conflict of interest and the members in question could participate fully in discussion of this agenda item.

2.3 Minutes from previous hui

DECISION GC20240328/2a: The Council approved the minutes from the hui on 29 February 2024 as a true and accurate record of the meeting.

2.4 Action List

The Council noted the Action List and updates on the actions.

Actions GC20231130/4a, GC20240229/3a, and GC20240229/3b were closed.

3. Initial Teacher Education (ITE) deep dive

The Council had a discussion on matters related to the Teaching Council's ITE work programme, including:

- The ITE programme landscape, with all current programmes now meeting the new programme requirements and implementation of ongoing monitoring about to begin.

- Positioning ITE as more than completion of a qualification (resulting in provisional registration) with the journey continuing through the initial years of teaching, including induction and mentoring, culminating in issue of a full practising certificate when a teacher is able to demonstrate that they independently meet the Standards.

- The range of parties who are involved with and have an influence on teacher education programmes/qualifications, induction and mentoring, and certification.

- The need for developments in initial teacher education to be aligned with the trajectory of change in the wider sector so that beginning teachers are supported as they enter the profession (rather than expecting ITE and beginning teachers to effect change).

- Expectations under the new programme approval requirements for design and delivery to be based on authentic partnerships, and the extent to which this is evident 'on the ground'.

- The absence of a formalised network of provision for ITE and a potential role for the Teaching Council in gathering voices from across the system and providing advice to Ministers to ensure future security of high-quality provision.

- The variety of different delivery models and financial pressures being experienced by ITE providers as student numbers decrease.

- The perceived inadequacy of one-year post-graduate programmes for preparing teachers to teach and influences (such as life experience) on graduate success.

- The potential value of a workforce plan for the teaching profession and the place of ongoing professional learning throughout a teacher's career.

- Financial viability/barriers for student teachers.

- The availability and quality of mentors for beginning teachers, and whether schools and services offering practicum placements and/or employing ITE graduates are sufficiently resourced to provide the necessary support.

- Student behavioural issues as a significant challenge for beginning teachers.

- Principals' reported lack of satisfaction with the preparedness of ITE graduates and whether their expectations are aligned with what the system is designed to deliver.

- ITE as an eco-system and the need to acknowledge/protect the role of providers that contribute pedagogical research and knowledge to the system.

- Opportunities for the Governing Council to take a strategic view in identifying aspects of the system that could be strengthened and how the Teaching Council might address those in partnership with stakeholders and taking into account any relevant government policy directions, e.g.:
  - assessment at exit from ITE or prior to full certification
  - greater specificity of requirements for moving to full certification
  - mentor training
  - advocacy for school resourcing
  - strengthening authentic partnerships between ITE providers and schools/services
  - national moderation of (ITE provider) assessor judgments.

4. Organisational Performance

4.1 Chief Executive's Report

The Chief Executive's report was taken as read. The Council noted/discussed the following:

- Management is looking to source additional people resource with specific skill sets to assist in progressing some of our priority work this year.

- Advice to Ministers on the policy settings for Charter Schools was shared **in confidence**, with decisions yet to be made by Cabinet. Teaching Council is advocating as a minimum for teachers to hold a Limited Authority to Teach (LAT) and for leaders of learning to have a full practising certificate. Subject to Cabinet decisions, changes may be required to Teaching Council policy to give effect to Government policy: these would be brought to the Governing Council if that was the case.

- Management has been working with the Education Review Office (ERO) as it completes its report on the readiness and confidence of beginning teachers. The publication date has yet to be confirmed but Governing Council members will receive an embargoed copy shortly before publication.

- An update on the professional boundaries work was shared, with the team currently testing whether the draft guidance is sufficiently specific to be useful for the intended end users. Members reported that issues related to professional boundaries continue to surface in the sector.

- The DCE Māori reported back on the activity and approach being taken by the Relationship Management and Pathways team in their engagement with schools and services.

- The Governing Council Chair signalled an intention to give consideration to the frequency and nature of management reporting to the Governing Council.

ACTION GC20240328/4a: Consider the frequency of reporting.

Karen Coutts, Chair of the Teaching Council Inclusive Education Advisory Group (TCIEAG) reported back on the first meeting of the re-convened group, noting that:

- In addition to the two Governing Council representatives (Karen and Dagmar) there are five continuing members who have been joined by ████████ and ███████████ (as appointed by the Governing Council at its February 2024 hui).

- The group will be taking a principled approach with a broad definition taken of inclusive education – schools and services that support all learners no matter their differences and value them as they are.

- The focus is on teacher capability not resourcing: although issues can be raised with other agencies for their consideration, the group needs to be clear what is in the Teaching Council's scope.

- The group is anticipating greater momentum once the newly appointed project lead is in place.

Council members noted that resourcing to support inclusive education is a significant issue for schools, services, Principals and teachers.

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ACTION GC20240328/4b: Forward any suggestions of TCIEAG members.

4.2 Health, Safety, and Wellbeing dashboard

The Council received the Health, Safety, and Wellbeing dashboard.

4.3 Issues Register

The Council received the Issues Register.

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4.4 Policy dashboard

The Council noted the Policy dashboard.

There was discussion about the potential mandating of particular educational pedagogies. The Teaching Council is taking a view that teachers need to be aware of a range of teaching strategies and have the ability to apply professional judgment in how they use those with their learners.

A concern was raised about the teaching profession's vulnerability to regular and ongoing change arising from shifts in government and political policy.

4.5 Performance dashboard

The Council noted the performance dashboard.

The Council noted the increased number of conduct cases and was advised that this is largely a timing issue due to the requirement in the new rules for teachers to be notified of a report or complaint about them and have an opportunity to respond.

4.6 Communications and media

The Council noted the Communications and Media dashboards.

5. Items for decision

5.1 Consultation on and setting of a fee for review of Complaints Assessment Committee (CAC) decisions by the Disciplinary Tribunal (DT)

The Council noted the updated information about costs associated with processing a review of a CAC decision by the DT across different phases of the review. Clarification was sought and provided about what each phase is anticipated to cover.

The Council discussed the options for setting a fee, noting that the recommended option is for a fee covering only phase one and two, with the actual cost of this option being $326.11.

The Council noted that the legislation provides for the DT to order a party to pay costs incurred by the other party in respect of the review, and that this may be a way in which the Teaching Council would recoup the cost of phases three and four in some circumstances.

There was a query about whether the Teaching Council would itself be required to pay the proposed fee if the Teaching Council submitted a request for review of a CAC decision in a case which it had referred to the CAC. Clarification was given that the Teaching Council would not be subject to the proposed fee.

DECISION GC20240328/5a: The Council approved consultation going ahead on a proposed fee of $325 for review of CAC decisions.

The Council noted that a consultation document and communications will be drafted in line with the Council's decision to consult on a proposed fee of $325.

5.2 Registration Panel Terms of Reference

The Council noted that the Registration Panel was established in 2016 and that the Teaching Council Rules 2016 set out the circumstances in which an application for registration may be referred to the Registration Panel.

DECISION GC20240328/5b: The Council approved the Registration Panel Terms of Reference.

The Council noted that the Governing Council provided a delegation to the Chief Executive in 2019 to appoint members of the Registration Panel, and that this was removed in error when the first draft of the Statutory Delegations Register was approved.

DECISION GC20240328/5c: The Council approved a new delegation for the Chief Executive to appoint members of the Registration Panel (including the Chair). After exercising this delegation, the Chief Executive would be required to provide a report on the persons appointed to the Governing Council at the next regular Council hui for information.

The Council noted the next steps.

5.3 Statutory Delegations Register

The Council noted that the Matatū Aotearoa Statutory Delegations Register is a Governing Council owned Register.

The Council noted the changes proposed:

- to reflect the disestablishment of the Manager Teacher Capability and Collaboration role and creation of the Manager Teacher Quality role
- clarification of the specific scope of the delegation as it relates to Rule 62 and 63(3) of the Teaching Council Rules 2016
- addition of the power to reappoint panel members as per Rule 61 of the Teaching Council Rules 2016
- delegation of appointment and reappointment of Registration Panel members to the Chief Executive, consistent with decision GC20240328/5c in the previous agenda item.

DECISION GC20240328/5d: The Council approved the proposed changes to the Statutory Delegations Register.

5.4 Delegation Policy

The Council noted that the Matatū Aotearoa Delegations Policy is a Governing Council owned Policy and has been reviewed to ensure it reflects the current organisation structure and practice.

The Council noted that the policy has been updated for the following matters:

- Updated the positions to reflect the disestablishment of the Manager Teacher Capability and Collaboration role and the creation of the Manager Teacher Quality role.

- Updated the cost centres applicable to the Manager Teacher Quality and General Manager Relationship Management and Pathways.

- Split the financial delegation for approving overseas travel into three so that it is clear that the one-up management principle applies for the CE to approve overseas travel for staff, the Governing Council Chair to approve any overseas travel for the Chief Executive and Governing Council members, and the Chair of the Risk, Audit, and Finance (RAF) Committee to approve overseas travel for the Governing Council Chair.

The Council noted that the changes are minor in nature and are therefore being presented to the full Governing Council without first being considered by the RAF Committee.

DECISION GC20240328/5e: The Council approved the proposed changes to the Delegation Policy.

5.5 Application for voluntary de-registration

The Council noted that clause 7 of Schedule 3 of the Education and Training Act 2020 requires the Teaching Council to deregister a teacher on receipt of a written request from the person seeking deregistration unless that teacher is the subject of an investigation.

DECISION GC20240328/5f: The Council approved the application by ██████████ for voluntary deregistration.

6. Items for Discussion

6.1 Leadership update

The Council discussed the Teaching Council's leadership work programme, with an outline provided of how it is underpinned by the four focus areas of the *Leadership Strategy for the teaching profession of Aotearoa New Zealand | Te Rautaki Kaihautū mō te Umanga Whakaakoranga o Aotearoa*:

- Stewardship of leadership practice and learning

- Capabilities of leadership

- Personalised professional learning

- Partnerships, communities and networks.

The Council noted that management is awaiting an opportunity to discuss the leadership work programme with the Minister.

Council members provided feedback on what they are hearing from the sector in relation to the leadership landscape and the Teaching Council's role in that.

6.2 Teaching Council's carbon footprint

The Council was reminded that in 2023, the Governing Council asked the Chief Executive to prioritise a focus on the Teaching Council's sustainability. Following presentation of a draft Sustainability Plan in October 2023, management was asked to consider whether it should be linked with/integrated into Te Whare o te Matatū Aotearoa and/or the Teaching Council's other strategies.

The DCE Māori provided an overview of how sustainability could be holistically incorporated into Te Whare o te Matatū Aotearoa so that it remains central to the organisation's thinking.

The Council noted that EKOS was commissioned to undertake a greenhouse gas emissions inventory as part of the sustainability focus.

The Council noted that the key findings in the draft EKOS report include:

- estimated total greenhouse gas (GHG) emissions of 240.99 tonnes of CO2 equivalent (tCO2e) per annum
- 65% of our annual emissions are related to business travel, with a further 23% related to staff commuting to the office.

The Council noted our current carbon intensity of 2.56 tCO2e per FTE compared to the weighted average of 4.28 tCO2e for 39 government departments.

The Council discussed items that could be given further consideration, including:

- areas in which we could reduce our carbon footprint e.g. business travel
- sustainability practices of the suppliers we select
- offsetting carbon emissions through the purchase of carbon credits.

ACTION GC20240328/6a: Management to continue to progress thinking about the Teaching Council's sustainability and provide the Governing Council with periodic updates.

7. Finance, Audit, and Risk

7.1 Levy remediation progress update

The Council noted the current status of the remediation action plan.

The Council noted that direct refunds to all teachers who paid via debit/credit card for applications up to 8 March 2024 have been completed (3,758 repayments with total value $306,802.69).

The Council noted that the small number of refunds to teachers who paid by POLi (~400 with an estimated value of $32,000) will be actioned next but could take six to 12 months plus to complete as we are reliant on these teachers to supply us with bank account details in order to repay them.

The Council noted that refunds owed to MoE relating to the period 1 July 2023 to March 2024 (2,496 transactions for a total of $238,103) will be processed as and when MoE refunds teachers.

The Council noted that the reimbursements made to date are in line with the per-annum estimates provided to the Governing Council in September 2023.

7.2 Financial reports

The Council noted the financial reports for the period ended 29 February 2024.

The Council noted recent and upcoming activity:

- debtors about to be referred to Baycorp
- a significant number of incoming payments prompted by the recently posted statements (relating to collection of the $63.80 practising certificate fees from February to July 2021)
- re-investment of term deposits at strong interest rates
- consideration to be given to payment plans with unrealistically low weekly repayment rates.

ACTION GC20240328/7a: Review repayment rates for debtors on payment plans.

ACTION GC20240328/7b: Provide information to RAF Chair on the Prepayments line item in the balance sheet.

7.3 Cybersecurity update

The Council noted the cybersecurity update.

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ACTION GC20240328/7c: Circulate guidance on how to report suspected phishing emails.

7.4 Risk register

The Council noted that the annual review of the Risk Register has commenced, and a final draft will be discussed with the RAF Committee at its 18 April hui. In the meantime, no changes have been made to the Risk Register.

8. Strategy, Engagement, and Evaluation

8.1 Strategic Plan consultation - update

The Council noted that the Strategic Plan consultation was launched on 19 March.

A verbal update was given on how the consultation is progressing, with a good number of survey responses having already been submitted and a high level of support being expressed for the proposed strategic priorities.

With a further week to go until consultation closes, Governing Council members were encouraged to use their networks to promote engagement.

Governing Council members reported back on meetings held with the PPTA and NZEI at which the proposed Strategic Plan priorities were discussed.

The Council noted that feedback from consultation will be presented at the 2 May Governing Council hui and approval sought for the final Strategic Plan at the 30 May Governing Council hui.

8.2 Engagement action plan – progress report for 2023 and priorities for 2024

The Council noted the update on progress against the 2023 Stakeholder Engagement Action Plan.

The Council noted that the Strategic Stakeholder Engagement Committee (SSEC) discussed and provided feedback at its 27 March hui on the proposed areas of focus for 2024, including the importance of making progress during Terms 2 and 3 before the busy end-of-year period.

The Council noted that procurement for a supplier to work on implementation of the Communications strategy is well advanced, which will allow this work to commence promptly following the Governing Council's consideration of feedback from the Strategic Plan consultation.

8.3 Any other matters from SSEC Committee

The SSEC Chair gave a report back on items discussed at the 27 March SSEC hui, including positive reflections on the engagement tracker and welcome packs and how engagement with the Teaching Council elections might be lifted,

9. Governance

9.1 Governance of disciplinary panels and competence authority

The Council received a paper discussing the responsibilities for the disciplinary and competence functions and the governance framework that enables the Governing Council to fulfil its governance role.

The Council agreed that it would be useful for the Chairs of the Complaints Assessment Committee (CAC), Disciplinary Tribunal (DT) and Competence Authority (CA) to be invited to meet with the Governing Council on an annual basis.

The Council expressed interest in understanding how trends in CAC, DT and CA cases and decisions are informing the Teaching Council's work. The Council noted that there will be an improved ability to report on the nature of the issues once the cases have been fully migrated to Salesforce.

ACTION GC20240328/9a: Add a meeting with the CAC, DT and CA Chairs to the Governing Council's annual work programme.

ACTION GC20240328/9b: Identify a date for a meeting this calendar year with the CAC, DT and CA Chairs.

9.2 Governing Council Charter

The Council noted that a draft Governing Council Charter has been developed to centralise key information for Governing Council members and provide both a tool for induction and an ongoing point of reference.

DECISION GC20240328/9a: The Council approved the Governing Council Charter.

ACTION GC20240328/9c: Add an annual review of the Governing Council Charter to the Governing Council's annual work programme for the November meeting.

10. Any other business

There were no other matters for discussion.

11. Papers for information/reference only

11.1 Continued use of X (formerly Twitter)

The Council noted the response to the question raised about the Teaching Council's continued use of X (formerly Twitter) to engage with teachers.

11.2 Revised ITE policy documents

The Council noted that following the Governing Council's approval of the new monitoring, review and moderation requirements in October 2023, the policy document has now been finalised.

The Council noted the separation of the current 2019 ITE Programme Approval, Monitoring and Review Requirements document into two separate policy documents:

- ITE Programme Requirements Policy
- ITE Programme Approval, Monitoring, Review and Moderation Policy
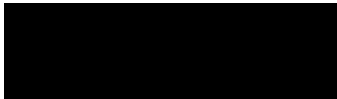
The Council noted the name change from "ITE Programme Approval and Monitoring and Review Process Policy" to "ITE Programme Approval Monitoring, Review and Moderation (MRM) Process Policy".

The Council noted the next steps in publishing and releasing the policies.

11.3 Governing Council calendar 2024

Ripeka Lessels closed the meeting with a karakia.

Signed: Approved by the Governing Council on 2 May 2024

Robyn Baker, Chair