



Conduct and competency data – 2022

Contents

Our role	1
Triage	2
Complaints Assessment Committee (CAC)	3
Disciplinary Tribunal	3
Competence matters	3
Competence Authority	4
Reporting a concern	4

Our role

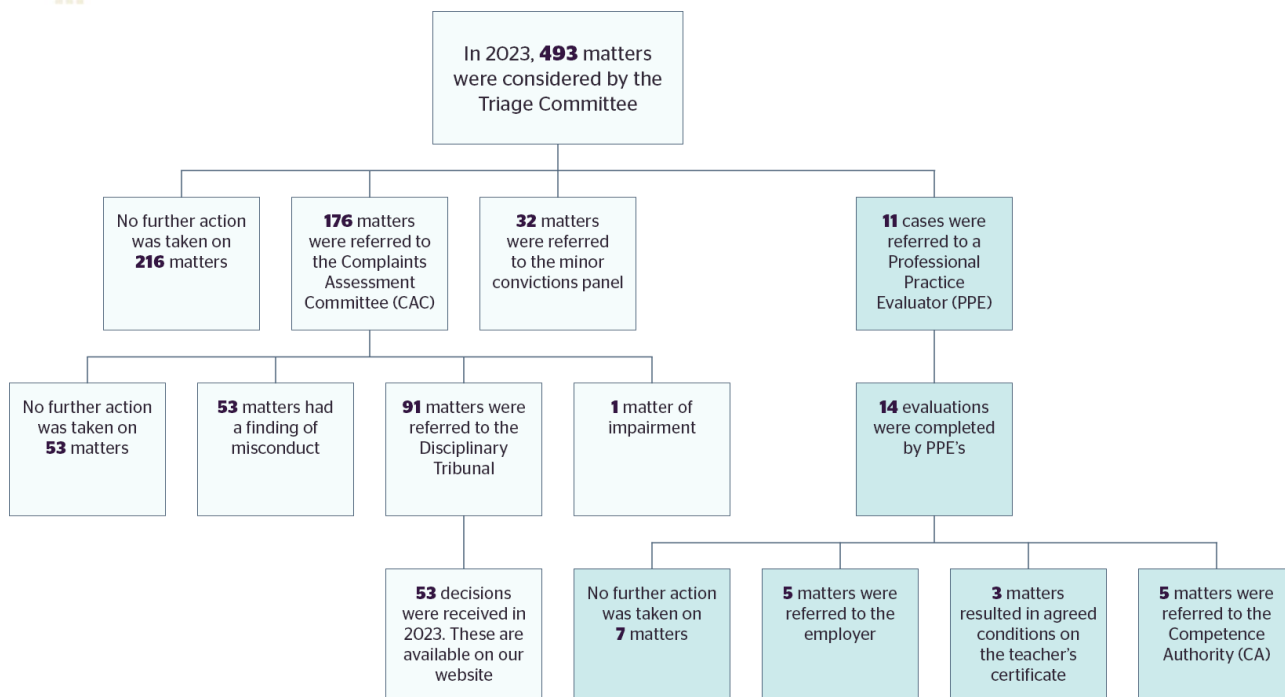
The Teaching Council’s purpose is to ensure safe and high-quality leadership, teaching, and learning for all children and young people. We do this by ensuring teachers are competent, fit to practice, and accountable for the way in which they teach and care for the children and young people they work with.

Teachers are expected to meet [Ngā Tikanga Matatika, Ngā Paerewa | Our Code, Our Standards](#). If there is a concern or complaint raised about an individual teacher breaching the Ngā Tikanga Matatika | Code or not meeting the *Ngā Paerewa | Standards*, it is investigated, assessed, evaluated and action is taken where necessary. It is important that individuals wishing to make a complaint are aware that under the Education and Training Act 2020, the complaint must first be made to the teacher’s employer (centre or school) unless there are exceptional circumstances. It is also important to be clear that the Teaching Council only has jurisdiction over registered teachers as individuals, not schools as a whole or other employees such as teacher aides or support staff.

By proportion, complaints against teachers are rare. There are more than 110,000 practising teachers in New Zealand who play a vital role in supporting our children and young people to realise their potential and prepare them for the future.

The following data provides an insight into the conduct and competence processes of the Teaching Council for 2022.

N.B: Regardless of when the matters come into Teaching Council, the data below refer



Triage

When mandatory reports, complaints, self-reports, and police referrals are received by the Teaching Council, our Triage Committee makes an initial assessment before determining what the appropriate next steps should be. More information about the Triage Committee can be found here: [Assessing a concern](#).

In 2022, 653 complaints, self-reports, and police referrals were considered by the Triage Committee. NB: Between October 2021 and September 2022, the Council received 230 mandatory reports regarding teachers who had been dismissed due to not complying with the COVID-19 Public Health Response (Vaccinations) Order 2021, resulting in an increased number of matters received and considered by Triage.

Of these, 161 cases were referred to the Complaints Assessment Committee (CAC), 25 to the minor convictions panel, and 27 to a Professional Practice Evaluator. The Triage Committee agreed to take no further action for 273 matters. The remaining matters considered by the Triage Committee are waiting for further information from the parties or on hold while external agencies complete their processes.

If the Triage Committee has immediate concerns about the safety of children and young people and the reputation of the teaching profession, it can seek a voluntary agreement with the teacher to stop teaching until the matter has been fully investigated and resolved. There were nine instances where a voluntary Undertaking Not To Teach (UNTT) was agreed to in 2022. If an undertaking is not agreed, the Teaching Council will seek interim suspension from the CAC.

Complaints Assessment Committee (CAC)

If the Triage Committee decides to refer a report, complaint, or make an own motion referral about a teacher to the CAC, investigators working on behalf of the CAC will investigate the allegations.

Between January and December 14, 2022, 202 reports from the investigation team were referred to the CAC advisors for allocation to a CAC hui.

Between January 2022 and 14 December 2022, the CAC made decisions on 165 cases. Of these, 31 cases had a finding of misconduct. The remaining cases were made up of 52 cases of no further action, 81 were referred to the Disciplinary Tribunal and for one case the individual was found to have an impairment. 41 matters have been scheduled or will be scheduled for a CAC hui in 2023.

More information on the CAC can be found here:

[Assessing a concern](#)

[How does the Conduct Process work? Complaints Assessment Committee](#)

Disciplinary Tribunal

The Tribunal is a quasi-judicial body which means it is a disciplinary decision-making body, independent to the Teaching Council. When a matter of teacher conduct is referred to the Tribunal by the CAC, a formal process culminating in a hearing takes place.

As of 15 December 2022, 72 cases had been filed with the Disciplinary Tribunal where the teacher has been charged with serious misconduct and/or misconduct.

Between February-December 2022, 55 decisions were received. Disciplinary Tribunal decisions are available on the [New Zealand Teachers' Disciplinary Tribunal](#) website.

Please note there may be a delay from the time the decision is received to the time it is published.

More information on the Disciplinary Tribunal can be found here:

[New Zealand Teachers Disciplinary Tribunal](#)

[How does the Conduct Process work? Disciplinary Tribunal](#)

Competence matters

One of the Teaching Council's roles is to ensure high quality of teacher practice by ensuring teachers continue their professional learning and meet *Ngā Paerewa | Standards* to be a competent teacher. The purpose of the competence process is to support teachers to build in an area they are not meeting the *Ngā Paerewa | Standards*. Unlike the discipline area, this is designed primarily to be rehabilitative.

If there is a concern or complaint raised about an individual teacher's competence, the Teaching Council will evaluate the concern and if required, make sure there are steps in place that will support the teacher to meet *Ngā Paerewa | Standards* in a teaching context. It is important to be clear that the teacher's employer (centre or school) is expected to take all appropriate steps to address the problem before reporting concerns of a teacher's competency to the Teaching Council. It is also required for members of the public to make any complaint to the centre or school to allow them the opportunity to manage the concern before making a complaint to the Teaching Council.

During the 2022 calendar year 27 competence cases were referred to a professional practice evaluator at the Teaching Council. The professional practice evaluators completed evaluations for 54 matters (which included finalising many cases referred prior to 2022) and referred five matters on to the Competence Authority, so 59 matters in total.

31 of the evaluation outcomes were no further action. 10 were referred to the employer to be dealt with through Rule 39 of the [Teaching Council Rules 2016](#), and 14 resulted in agreed conditions on the teacher's practising certificate.

During 2022 eight teachers met their competence conditions.

Competence Authority

The role of the Competence Authority is to consider mandatory reports and complaints in relation to a teacher's competence along with all relevant information and the evaluation of the professional practice evaluator. The Competence Authority is to consider all information outlined above in alignment with Ngā Paerewa | Standards and to exercise powers given under the Education and Training Act 2020. The Competence Authority will determine whether a teacher has attained the required level of competence and decide what the appropriate outcome should be.

If a case is referred to the Competence Authority, the teacher will be notified and given an opportunity to provide the panel members with written submissions or appear in person. They may also request to be represented by a lawyer or other advocate throughout this process.

More information about the Competence Authority can be found here:

[Competence Authority](#)

Reporting a concern

Anyone can raise a concern. If you have a concern about a teacher's conduct or competence, the teacher's employer is your first point of contact. The employer is expected to follow their processes to investigate your concerns and attempt a resolution. The Teaching Council is not primarily a complaints service and we do not have the jurisdiction to consider disputes between or within centres or schools.

If you are not happy with how the centre or school has dealt with the issue, you can then raise your concerns with us.

Information on how to report a concern can be found via the following links:

[Conduct concerns](#)

[Competence concerns](#)