
OWNER: Chief Executive

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Triage Policy

Whāinga Matua | Purpose

This policy sets out how reports and complaints received by the Teaching Council about teachers are triaged to determine if the matter should be referred to a professional disciplinary process, the teacher's current employer, a competence evaluation process, or if the matter does not warrant any kind of referral.

Korahi | Scope

This policy applies to the Triage Committee established under rule 11B of the Rules, its functions, and staff that participate in its operation.

Takenga mai | Background

Professional disciplinary processes hold the profession to account and uphold the mana of the teaching profession by ensuring teachers meet the level of behaviour expected of the profession. Competence processes ensure that the profession is performing at the expected standards. Both professional disciplinary and competence evaluation processes ensure the safety of learners in educational settings, high-quality teaching, and the maintenance of the reputation of the profession and public confidence in the profession.

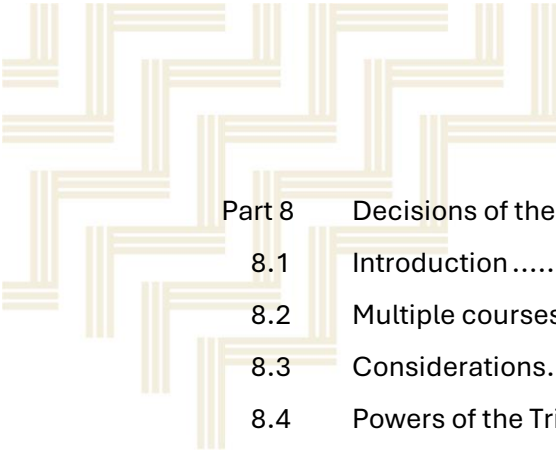
Where a teacher's conduct or competence falls short of the level expected of teachers, a penalty or sanction may be imposed by a disciplinary body or the Competence Authority, as set out in the applicable legislation.

The purpose of the Triage Committee is to undertake an initial assessment of all mandatory reports, complaints, information, or allegations about teachers received by the Teaching Council. The Chief Executive of the Teaching Council receives reports, complaints and other matters and is empowered to refer them to the Triage Committee for consideration under rule 11A(4) of the Rules.

The Triage Committee provides a system for filtering reports, complaints and other matters through to the relevant channels, or taking a matter no further should the Triage Committee consider that the matter does not require referral.

Part 1 Contents

Whāinga Matua Purpose	1
Korahi Scope	1
Takenga mai Background	1
Part 1 Contents	2
Part 2 Introduction	4
2.1. Context	4
2.2. Authority.....	4
2.3 The Teaching Council Rules that apply are based on receipt date	4
2.4 Associated Policies and Resources	4
Part 3 Purpose of the Triage Committee	5
Part 4 Types of reports or complaints or other matters	5
4.1 Introduction	5
4.2 Mandatory Reporting	5
4.3 Complaints.....	6
4.4 Other matters	7
4.5 Form of Report or Complaint	7
4.6 Consideration of a protected disclosure	8
4.7 Confidentiality of Information	8
Part 5 Acknowledgement of receipt of report or complaint	9
5.1 Responsibility for acknowledging receipt of reports and complaints	9
5.2 Circumstances where a teacher may not be notified of a report or complaint	9
Part 6 Teacher response to report or complaint	9
6.1 Introduction	9
6.2 Delays in teacher response	9
Part 7 Triage Committee	10
7.1 Establishment of the Triage Committee	10
7.2 Membership.....	10
7.3 Meeting frequency	10
7.4 Urgent Decisions	10
7.4.3 Voluntary Undertakings Not to Teach	11
7.5 Conflicts of interest	11
7.6 Involvement of investigators and professional practice evaluators	11



Part 8	Decisions of the Triage Committee.....	12
8.1	Introduction	12
8.2	Multiple courses of action	12
8.3	Considerations.....	12
8.4	Powers of the Triage Committee	12
8.5	Triage Committee Decisions.....	13
8.6	Unanimous decision making.....	14
Part 9	Notifying Triage Committee decisions	14
9.1	Notifying the teacher.....	14
9.2	Notifying the current employer and initiator	15
9.3	Appeals	15
Appendix One: Glossary		16

Part 2 Introduction

2.1. Context

- 2.1.1 This policy sets out how reports and complaints received by the Teaching Council about teachers are triaged to determine if the matter should be referred to a professional disciplinary process, a competence evaluation process, the teacher's current employer, or if the matter does not require a referral.

2.2. Authority

- 2.2.1 The purpose of the Teaching Council is to ensure safe and high-quality leadership, teaching, and learning for children and young people in all manner of educational settings through raising the status of the profession. Section 479 of the Education and Training Act 2020 (the **Act**) outlines the functions and powers of the Teaching Council, including the following:

- To establish and maintain a code of conduct for teachers;
- To establish and maintain standards for ongoing practice;
- To monitor and enforce the requirements relating to mandatory reporting;
- To perform the disciplinary functions relating to teacher misconduct and reports of teacher convictions;
- To set the criteria for reporting serious misconduct and for reporting on competence issues;
- To perform the functions relating to teacher competence.

- 2.2.2 Rule 11A of the Teaching Council Rules 2016 (the **Rules**) allow the Chief Executive of the Teaching Council to take one or more of a number of actions upon receipt of a report or complaint, or upon considering other matters which have been referred. Under rule 11A(4) of the Rules the Chief Executive may refer a report or complaint to the Triage Committee, which is established under rule 11B of the Rules. Members are appointed to the Triage Committee by the Teaching Council.

2.3 The Teaching Council Rules that apply are based on receipt date

- 2.3.1 The latest version of the Teaching Council Rules 2016 took effect from 29 July 2023. The date a report, complaint or other matter is received by the Teaching Council will determine which version of the Rules will be applied.

- 2.3.2 For reports, complaints and other matters received by the Teaching Council:

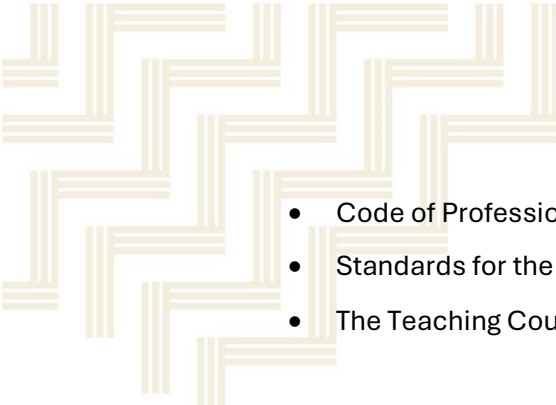
- Before 29 July 2023 – the Rules that were in place prior to 29 July 2023 will apply.
On or after 29 July 2023 – the Rules in effect from 29 July 2023 will apply.

- 2.3.3 For historic matters the relevant legislative framework, code and standards will be determined in accordance with the legally appropriate sections.

2.4 Associated Policies and Resources

- 2.4.1 This policy should be read in conjunction with the:

- Education and Training Act 2020;
- Teaching Council Rules 2016;

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- Code of Professional Responsibility | Ngā Tikanga Matatika;
 - Standards for the Teaching Profession | Ngā Paerewa.
 - The Teaching Council Values| Uara.

Part 3 Purpose of the Triage Committee

- 3.1 Professional disciplinary processes hold the profession to account and uphold the mana of the teaching profession by ensuring teachers meet the level of behaviour expected of the profession. Competence processes ensure that the profession is performing at the expected standards. Both professional disciplinary and competence evaluation processes ensure the safety of learners, high-quality teaching, the maintenance of the reputation of the profession and public confidence in the profession.
- 3.2 Where a teacher's conduct or competence falls short of the level expected of teachers, a disciplinary body or the Competence Authority may impose any of the orders outlined in the Act.
- 3.3 The purpose of the Triage Committee is to undertake an initial assessment of all mandatory reports, complaints, information, or allegations about teachers received by the Teaching Council before any professional disciplinary or competence processes outlined in the Act may be instigated. The Chief Executive of the Teaching Council receives reports, complaints and other matters and is empowered to refer them to the Triage Committee for consideration under rule 11A(4) of the Rules.
- 3.4 The Triage Committee provides a system for filtering reports, complaints and other matters through to the relevant channels, or taking a matter no further should the Triage Committee consider the matter does not require referral.

Part 4 Types of reports or complaints or other matters

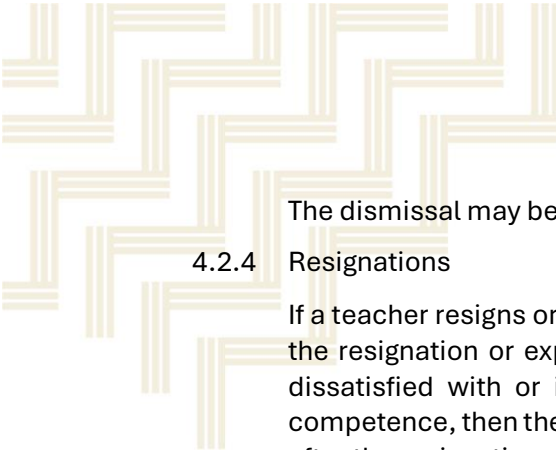
4.1 Introduction

- 4.1.1 The Act specifies the circumstances in which employers of teachers, teachers, and other persons are required to advise the Teaching Council of certain events or actions concerning teachers, also known as mandatory reporting.
- 4.1.2 There is no relevant statute of limitations in relation to reports and complaints about teachers. The Teaching Council may consider a mandatory report, complaint or other matter regardless of the amount of time which has elapsed since the alleged conduct, provided that the subject was a teacher at the time of the alleged conduct.

4.2 Mandatory Reporting

- 4.2.1 It is a legal requirement for teachers and employers of teachers to submit a mandatory report to the Teaching Council when certain events occur, as detailed below.
- 4.2.2 A report or complaint can be submitted to the Council by post, by email, or through the online platform Hapori Matatū.
- 4.2.3 Dismissals

When an employer dismisses a teacher for any reason, the employer must immediately report the dismissal to the Teaching Council.



The dismissal may be associated with conduct and/or competence matters.

4.2.4 Resignations

If a teacher resigns or their fixed-term position expires, and within the 12 months prior to the resignation or expiry the employer had advised the teacher that the employer was dissatisfied with or intended to investigate any aspect of the teacher's conduct or competence, then the employer must make a report to the Teaching Council immediately after the resignation or expiry.

4.2.5 Complaints about former employees

If the former employer of a teacher receives a complaint about the teacher's conduct or competence while the teacher was an employee within 12 months after the teacher was employed by the employer, a report must immediately be submitted to the Teaching Council.

4.2.6 Possible serious misconduct

An employer must immediately report to the Teaching Council if the employer has reason to believe that the teacher has engaged in serious misconduct.

Rule 9 provides examples of serious misconduct that may be considered a serious breach of *Code of Professional Responsibility* | *Ngā Tikanga Matatika*

4.2.7 Failure to reach required level of competence

An employer must immediately report to the Teaching Council if they are satisfied that, despite undertaking competency procedures with the teacher, the teacher has not reached the required level of competence.

4.2.8 Convictions

It is a legal requirement under the Act for a teacher with a current practising certificate who is convicted of an offence punishable by imprisonment for 3 months or more to report the conviction to the Teaching Council within seven days. Failure to report is misconduct that may result in professional disciplinary proceedings.

Unless the court expressly orders otherwise, Registrars of every court are also required to report to the Teaching Council where a person the Registrar believes to be, or have been, a teacher is convicted of an offence punishable by imprisonment for 3 months or more.

4.3 Complaints

4.3.1 Any person may make a complaint about a teacher's conduct or competence. Complaints must first be made to the teacher's employer before making a complaint to the Teaching Council, unless one of the exceptions in section 495(2) of the Act applies.

4.3.2 A complaint may be made directly to the Teaching Council (without first complaining to the teacher's employer) in circumstances where:

- The teacher is not currently employed by an employer in a teaching position.
- If the complainant considers, on reasonable grounds, that the employer is unable to deal with the complaint effectively because of an actual or perceived conflict of interest;
- If the complaint has been made to the employer, but the complainant is not satisfied with the way in which the complaint is being, or was, dealt with; or
- In any other exceptional circumstance.

- 4.3.3 If the complaint is from a current or former employer, it must include a report of any action that the current or former employer has taken in relation to it.

4.4 Other matters

- 4.4.1 Matters about a teacher's conduct or competence may come to the attention of the Teaching Council outside of a mandatory report or complaint. These may arise from a variety of sources of information, such as through Police vetting as part of the registration and certification process, or court or Ministry of Education notification. The Teaching Council may consider matters relating to teacher conduct or competence of its own motion as it sees fit under sections 496(2) and 506(3) of the Act. In the case of a competence matter, the Teaching Council may also investigate matters related to teacher competence of its own motion.
- 4.4.2 If an own motion referral is possible, then the matter will be brought before the Triage Committee for the Triage Committee to consider whether the alleged conduct or competence issue is sufficiently serious to consider an own motion referral to the Complaints Assessment Committee for investigation or to a professional practice evaluator for evaluation.
- 4.4.3 If the Committee considers that the matter may be referred to the Complaints Assessment Committee or to a professional practice evaluator, then the teacher concerned will be given an opportunity to respond to the allegation and any supporting information before a decision about whether to refer is made.

4.5 Form of Report or Complaint

- 4.5.1 A mandatory report must include the following information specified in the Act (sections 489 to 493) and the Rules (rule 8):
- Where the report follows a dismissal, the reason for dismissal of the teacher;
 - Where the report follows a resignation or the expiry of a fixed-term position:
 - A description of the conduct or competence issues that the employer was concerned about;
 - A description of what action, if any, the employer took with respect to those actions;
 - Where an employer has received a complaint about a former employee:
 - Where the complaint was an oral complaint, a description of the aspects of the teacher's conduct or competence complained of;
 - Where the complaint was a written complaint, a copy of the complaint;
 - In both instances, what action, if any, the employer took with respect of the matters complained of;
 - Where the teacher has possibly engaged in serious misconduct:
 - A description of the conduct of the teacher which the employer believes to be serious misconduct;
 - A description of what action, if any, the employer has taken in relation to it;
 - Where the teacher has failed to reach the required level of competence:

- A description of the competence issues leading to the report; and
- A description of the action that the employer has taken in relation to it.

4.5.2 A complaint must include the following information:

- The identity of the teacher who the complaint or report is about;
- Who initiated the complaint or report;
- Specify the matter that the report or complaint is about;
- If possible, the report or complaint may be accompanied by any relevant evidence;
- If possible, any evidence of steps taken in response to the complaint or report, including any restorative justice processes undertaken; and
- If possible, state what action (if any) the initiator considers should be taken by the Teaching Council.

4.5.3 The Teaching Council does not normally accept reports or complaints that do not name the initiator or where the initiator wishes to remain anonymous. It is an important part of ensuring natural justice that teachers know who has made a report or complaint against them.

4.5.4 If an initiator believes that they may be entitled to anonymity under the Protected Disclosures (Protection of Whistleblowers) Act 2022, this should be specified in the report or complaint.

4.6 Consideration of a protected disclosure

4.6.1 The Teaching Council is required to consider if an initiator claims or appears to be a disclosure as defined under s 8 of the Protected Disclosure (protection of Whistleblowers) Act 2022. Further information can be found in the Teaching Councils protected disclosure policy which can be found at <https://teachingcouncil.nz/professional-practice/conduct-concerns/make-a-protected-disclosure/>.

4.7 Confidentiality of Information

4.7.1 Information disclosed to, or held by the Triage Committee, or a Council investigator or professional practice evaluator, in respect of a report or complaint or other matter is confidential unless disclosure of the information is necessary to ensure child safety or to preserve the reputation of the teaching profession.

4.7.2 The initial receipt and acknowledgement of a report or complaint, any consideration by the Triage Committee or an any initial investigation by a Council investigator or professional practice evaluator into a report or complaint or other matter is confidential unless disclosure of the information is necessary to ensure child safety or to preserve the reputation of the teaching profession.

Part 5 Acknowledgement of receipt of report or complaint

5.1 Responsibility for acknowledging receipt of reports and complaints

- 5.1.1 Triage Investigation Advisors are responsible for managing the receipt and acknowledgement of reports and complaints. As soon as practicable an Investigations Advisor will confirm receipt to the initiator, and, where a report or complaint is missing mandatory information (as outlined above), will notify the initiator and seek the missing information.
- 5.1.2 When the Teaching Council receives a report or complaint about a teacher, the Chief Executive, through the Investigations Advisors, must as soon as practicable, (subject to any protected disclosure):
- notify the teacher that the Council has received a report or complaint about them;
 - invite the teacher to respond to the report or complaint; and
 - provide the Teacher a copy of the report or complaint.

5.2 Circumstances where a teacher may not be notified of a report or complaint

- 5.2.1 The Chief Executive may choose not to notify the teacher of a report or complaint if the Chief Executive considers that there is good reason to keep it confidential from the teacher. Good reason may include:
- Where the report or complaint discloses that the teacher is a subject of a Police investigation, of which the teacher is unaware, and disclosure to the teacher may prejudice the maintenance of the law, including prejudice to the prevention, detection, investigation, prosecution and punishment of offences;
 - Any other good reason as approved by the Chief Executive.

Part 6 Teacher response to report or complaint

6.1 Introduction

- 6.1.1 Teachers will be given a reasonable opportunity to respond to a report or complaint before a decision is made by the Triage Committee. Any teacher response and supporting material will be provided to the Triage Committee for its consideration. Teachers are not required to provide a response and may not provide one if they do not wish to do so.

6.2 Delays in teacher response

- 6.2.1 Teachers will typically be given 2 weeks to respond to a report or complaint.
- 6.2.2 If a teacher requires more time before providing a response, for example, to seek advice or support, they may seek an extension of time for response from the Investigations Advisors. Requests for an extension will not be unreasonably denied.
- 6.2.3 Where a teacher does not respond within a reasonable period to the Teaching Council's invitation to respond to a report or complaint, or provides insufficient information, and

there are no other personal mitigating circumstances, the Teaching Council will refer the matter to the Triage Committee for consideration based on the available information.

Part 7 Triage Committee

7.1 Establishment of the Triage Committee

7.1.1 The Triage Committee is established under rule 11B of the Rules.

7.2 Membership

7.2.1 The Triage Committee must comprise at least three members which will make decisions of the Triage Committee. The Triage Committee, will routinely consist of:

- Manager of Professional Responsibility;
- Manager of Teacher Quality;
- Two investigators.

7.2.2 The Manager of Professional Responsibility and the Manager of Teacher Quality may sub-delegate their powers if they are unable to attend a Committee meeting.

7.2.3 An Investigations Advisor or Teacher Quality Advisor attends as secretary to the Triage Committee but does not take part in the decision-making process. The role of these Advisors is to prepare the documents relevant to cases that are dealt with before the Triage Committee, record the decisions of the Triage Committee, and in some cases, notify affected parties of such decisions in accordance with the Rules and this policy.

7.2.4 A legal advisor may attend to provide the Triage Committee with legal advice but does not form part of the decision-making panel.

7.2.5 The Triage Committee can, at any time invite other specialist advisors to assist the panel with making a decision, for example, the Teaching Council's Kaihautū to provide advice on te ao Māori. These additional attendees will not form part of the decision-making panel and will attend to provide specialist advice to the panel.

7.3 Meeting frequency

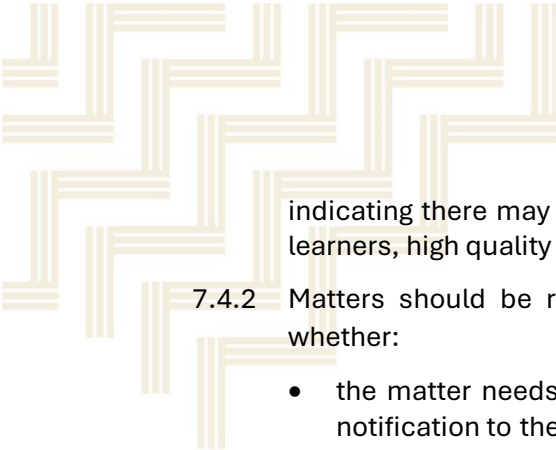
7.3.1 Generally, the Triage Committee will meet three times a week..

7.3.2 Matters may be considered by the Triage Committee at more than one meeting. Matters may be brought back before the Triage Committee when, for example, the Triage Committee has requested further information from an initiator, or where a matter has been referred back to the Triage Committee for reconsideration (see 40(3) of the Rules). The composition of the panel of the Triage Committee is not required to be the same as previous meetings where a matter is being considered again.

7.3.3 Matters may be considered on an urgent basis. In such cases, an emergency Triage Committee meeting will be convened. The panel in this case will consist of Manager of Professional Responsibility (or a person with appropriate delegated authority) and at least two other members of the Triage Committee.

7.4 Urgent Decisions

7.4.1 Risk factors that may indicate a matter should be considered on an urgent basis include where there appears to be an immediate or imminent risk to the safety of learners, high quality teaching and/or the reputation of the teaching profession. an allegation is raised



indicating there may be an immediate or imminent and/or serious risk to the safety of learners, high quality teaching and/or the reputation of the profession.

7.4.2 Matters should be raised with the Manager of Professional Responsibility to direct whether:

- the matter needs to be raised with the Chief Executive to consider whether initial notification to the teacher should not occur prior to the matter being considered by the Triage Committee; and/or
- an emergency Triage Committee meeting should be called to deal with a matter earlier than the next scheduled meeting.

7.4.3 Voluntary Undertakings Not to Teach

- If there are serious concerns about a teacher's alleged conduct, the Triage Committee can consider whether seeking a Voluntary Undertaking Not To Teach (VUNTT) is appropriate.
- A VUNTT may be sought if the Triage Committee is of the view that there is a risk to the safety of learners and/or a risk to the reputation of the teaching profession if the teacher was to continue in a teaching position pending the resolution of a mandatory report, referral or complaint.
- A VUNTT is an agreement between the Council and the teacher who is the subject of the VUNTT that the teacher will abide by the clauses of the VUNTT for the period specified.
- If the Triage Committee seeks a VUNTT from a teacher and the teacher chooses not to sign the VUNTT, the Triage Committee may refer the matter to the Complaints Assessment Committee for the Committee to consider making an application to the Tribunal for interim suspension of the teacher's practising certificate or authority.

7.5 Conflicts of interest

7.5.1 All Triage Committee members are required to consider actual or perceived conflicts of interest. Should any actual or perceived conflicts arise, the members will declare and manage these conflicts.

7.5.2 Prior to each meeting, a list of matters scheduled for consideration at the Triage Committee meeting will be made available to all members and advisors who have been assigned to that meeting. Members will check this list and declare any actual or perceived conflicts of interest by filling in a Triage Committee Conflict of Interest Form..

7.5.3 A Triage Committee member who has a conflict of interest will not sit on the Triage Committee as part of the decision-making panel or act as an advisor for that matter in any capacity.

7.6 Involvement of investigators and professional practice evaluators

7.6.1 Unless there are exceptional circumstances, investigators or PPEs who have been part of the decision-making panel at a Triage Committee meeting will not be assigned that matter for investigation or evaluation under rule 14 of the Rules or section 507 of the Act, respectively. Cases involving exceptional circumstances are to be approved by Manager of Professional Responsibility for conduct cases and by Manager Teacher Quality for competence cases.

Part 8 Decisions of the Triage Committee

8.1 Introduction

- 8.1.1 The Triage Committee is focussed on deciding whether a matter requires no further action, if additional information is needed to help decide an appropriate pathway, or whether to refer the matter to a professional disciplinary process or to a competence evaluation process.

8.2 Multiple courses of action

- 8.2.2 The Triage Committee has the power to do any or all of the following, in any order:

- Request further information from any person, in order to assess what further action to take;
- Appoint an investigator to make an initial investigation of the report or complaint in order to assess what further action to take;
- Refer the report or complaint, or part of the report or complaint, to:
 - The teacher's current employer;
 - The Complaints Assessment Committee;
 - A professional practice evaluator;
 - The Teaching Council;
- Take no further action;
- Take any other action permitted under the Act.

8.3 Considerations


- 8.3.1 In coming to a decision about the appropriate pathway for a report, complaint or other matter, the Triage Committee may consider a range of factors.
- 8.3.2 A non-exhaustive list of the factors the Triage Committee may take into account is contained below as **Appendix Two**. The Triage Committee may also consider legal or specialist advice, as well as policies and procedures relevant to the alleged conduct or competence issue.
- 8.3.3 The Triage Committee may consider a matter based only on the information available to it. Each matter will be considered on a case-by-case basis.
- 8.3.4 Where the Triage Committee is considering a matter that has been referred back to it by a professional practice evaluator under rule 40(3) of the Rules, it must take into account any relevant findings of any investigation already undertaken by the professional practice evaluator.

8.4 Powers of the Triage Committee

- 8.4.1 Request further information from any person

Seeking further information will usually be appropriate where the Triage Committee does not believe it has enough information to decide on the pathway or scope of any potential investigation, or where it is unclear what is being alleged. The Committee may also use this power to seek legal or specialist advice, for example, advice relating to tikanga Māori or sector-specific advice.

- 8.4.2 Appoint an investigator to undertake an initial investigation of the report or complaint



If the Triage Committee considers that an initial investigation would assist the Triage Committee in assessing the appropriate pathway, then the Triage Committee may direct an initial investigation.

The scope of an initial investigation should be limited to seeking only the information that the Triage Committee needs to make a decision under rule 11C of the Rules. A full investigation is not appropriate of the allegations.

The teacher will be given an opportunity to respond to any further information gathered or received during the initial investigation before a decision is made by the Triage Committee under rule 11C.

8.4.3 Refer to Governing Council

Specified offences are listed in Schedule 2 of the Children’s Act 2014.

If a teacher is convicted of a specified offence, they no longer meet the criteria for registration as a teacher in New Zealand under clause 2 of schedule 3 of the Act (unless they hold an exemption pursuant to section 35 of the Children’s Act). Further information on the exemption process can be found on the Te Kāhui Kāhu website.

If the Manager of Professional Responsibility receives information confirming a conviction of a teacher for a specified offence, they will as soon as practicable refer the matter to the Registration Manager.

For the avoidance of doubt, if the Manager of Professional Responsibility refers a specified offence conviction to the Registration Manager, this does not preclude the Triage Committee from referring the matter to the Complaints Assessment Committee for investigation and consideration.

8.4.4 Refer to current employer

The Triage Committee may refer a matter back to a teacher’s current employer if it considers that the employer is best placed to address the matter. For example, if there are competency concerns but the teacher has a new employer who is willing to support them in reaching the Standards for the Teaching Profession | Ngā Paerewa, or if the conduct issue is best dealt with by the teacher’s current employer and does not require referral to a professional disciplinary process established under the Act.

8.5 Triage Committee Decisions

8.5.1 The following examples are not solely determinative of a Triage decision, each case is considered on the individual facts of the case, this policy does not fetter the decision making of the Triage Committee and is given here as examples only. All decisions made remain at the discretion of the Triage Committee and further reference should be made to the Framework at Appendix 2.

8.5.2 Take no further action

The Triage Committee may decide to take no further action where it considers that the matters in the report, complaint, or other matter do not warrant any further action or investigation by the Teaching Council.

It may be appropriate to take no further action if, for example:

- the matter has previously been considered by the Triage Committee;
- there is no real or perceived risk to the safety of learners;

- there is no real or perceived risk to high quality leadership, teaching or learning;
- there is no real or perceived risk to the reputation and/or status of the teaching profession;
- the person concerned was not a registered or authorised teacher at the time of the alleged conduct;
- there is a lack of evidence of conduct or competence concerns, and further evidence is unlikely to be obtained;
- the complaint is not within the jurisdiction of the Teaching Council;
- the complaint is frivolous, vexatious, or not made in good faith;
- the matter has been satisfactorily resolved at the employment level.

8.5.3 Refer to Complaints Assessment Committee

After considering a report, complaint or other matter, if the Triage Committee is of the view that the matters disclosed about a teacher's conduct should be referred to the Complaints Assessment Committee, then it may refer the matter to the Complaints Assessment Committee to consider.

If the Triage Committee refers a report, complaint or other matter to the Complaints Assessment Committee, it is not obligated to refer the entire report, complaint or other matter. When making the decision to refer a matter to the Complaints Assessment Committee, the Triage Committee must specify what allegations it has resolved to refer to the Complaints Assessment Committee, and these must be duly notified to the teacher and the initiator (see rules 12(2) and (3), addressed below).

8.5.4 Refer to professional practice evaluator

If the Triage Committee refers a report, complaint or other matter to a professional practice evaluator, it is not obligated to refer the entire report, complaint or other matter. When making the decision to refer a matter to a professional practice evaluator, it must specify what matters it has resolved to refer to the professional practice evaluator, including specifying any Standards the teacher may not be meeting.

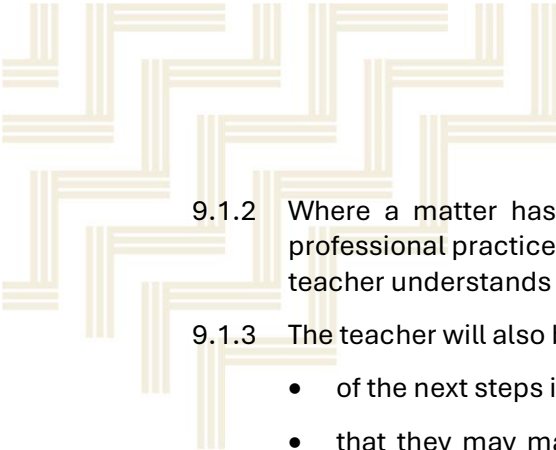
8.6 Unanimous decision making

- 8.6.1 Attempts should be made for the Triage Committee to reach a unanimous decision. In the event that a unanimous decision cannot be reached then the final decision should be made by the Head of the Triage Committee in consultation with the Deputy Chief Executive.

Part 9 Notifying Triage Committee decisions

9.1 Notifying the teacher

- 9.1.1 Teachers will be notified in writing of the Triage Committee's decision, whether that is a decision to take no further action or a decision to refer the report, complaint or other matter to the Complaints Assessment Committee or professional practice evaluator.



9.1.2 Where a matter has been referred to the Complaints Assessment Committee or a professional practice evaluator, the notification will include sufficient details so that the teacher understands the nature of the matter that has been referred.

9.1.3 The teacher will also be informed:

- of the next steps in the process;
- that they may make submissions to the Complaints Assessment Committee, the professional practice evaluator, or any other person or body exercising any other power under the Act; and
- that the teacher's current employer will be notified of the referral (subject to the below).

9.2 Notifying the current employer and initiator

9.2.1 Unless the Chief Executive considers that notification is not appropriate, the Triage Committee must notify a teacher's current employer, and the initiator of a complaint or report, if the Triage Committee has made:

- a referral to the Complaints Assessment Committee;
- a referral to a professional practice evaluator; or
- a decision to take no further action.

9.2.2 A notice of referral to a teacher's current employer must describe the nature of the matter that the report, complaint, or other matter is about.

9.3 Appeals

9.3.1 The Act does not provide an ability to appeal decisions made by the Triage Committee. However, decisions may be subject to judicial review or a complaint to the Ombudsman.

Appendix One: Glossary

Name	Description
<i>Code of Professional Responsibility</i> <i>Ngā Tikanga Matatika</i> (the Code Ngā Tikanga Matatika)	The code of conduct as established under s485 of the Act which by virtue of section 485(6) is binding on all teachers who hold a practising certificate and on all authorised persons.
Competence Authority	Established under s 505 of the Act. A body independent from the Teaching Council which considers reports about a teacher's competence.
Complaint	A complaint received pursuant to either ss 495 and 506 of the Act.
Complaints Assessment Committee	Established under r 49 of the Rules. A disciplinary body independent from the Teaching Council which considers reports about a teacher's conduct.
Disciplinary body	Means either or both of the Complaints Assessment Committee or the Disciplinary Tribunal
Disciplinary Tribunal	Established under section 494 of the Act and r 53 of the Rules. A quasi-judicial body independent from the Teaching Council, established under the Act to consider matters referred to it by the Complaints Assessment Committee.
Education and Training Act 2020 (the Act)	Legislation which governs the Teaching Council's powers and functions
Governing Council	Governing Council of the Teaching Council, comprising members appointed by the Minister of Education and members elected by different sectors of the teaching profession
Initiator	A person who makes a report or complaint to the Teaching Council
Investigator	A person appointed by the Teaching Council under provision in the Rules to act as an investigator.
Mandatory report	A report received under any of the provisions in ss 489 to 493 of the Act.
No further action (NFA)	An outcome where the decision has been to take no further action.
Other matter	Matters about a teacher's conduct or competence that come to the attention of the Teaching Council outside of a mandatory report or complaint. This includes, but is not limited to: <ul style="list-style-type: none"> information received from other agencies/organisations; notifications from the courts; when new allegations arise out of an investigation into a mandatory report or complaint; criminal matters disclosed in Police vetting reports; information included in media articles related to teachers.

Own motion	Matters referred by the Teaching Council to the Complaints Assessment Committee under s 496(2) or to a competence process under s 506(3) of the Act.
Professional practice evaluator (PPE)	A person appointed by the Teaching Council to investigate and evaluate matters relating to competence.
Protected disclosure	Has the meaning given in s 9 of the Protected Disclosures (Protection of Whistleblowers) Act 2022
Specified offences	An offence listed in Schedule 2 of the Children’s Act 2014
<i>Standards for the Teaching Profession</i> <i>Ngā Paerewa mō te Umanga Whakaakoranga</i> (the Standards Ngā Paerewa)	Sets out the expectations of effective teaching practice.
Teaching Council of New Zealand Matatū Aotearoa (the Council)	The Teaching Council of Aotearoa New Zealand as established in the Education and Training Act 2020.
Teacher	Includes: <ul style="list-style-type: none"> • a registered teacher; and • a former registered teacher; and • a person who holds a limited authority to teach; and • a person who formerly held a limited authority to teach.
Teaching Council Rules 2016 (the Rules)	<p>Secondary legislation issued by the Teaching Council in accordance with s 486 of the Act.</p> <p>The rules are secondary legislation that sit under the Education and Training Act 2020, which provide for the constitution of the disciplinary bodies (the Complaints Assessment Committee and Disciplinary Tribunal) to consider and determine conduct matters and the constitution of the competence body (the Competence Authority) to consider and determine competence matters.</p>
Tūranga Whakaako Whaiherenga Limited Authority to Teach (LAT)	Enables people of suitable disposition, and with appropriate skills and experience but without a teaching qualification, to teach in positions where there is need for specialist skills to advance the learning of a student or group of students, or skills in short supply, but which are not permanent roles.