

EDUCATION COUNCIL
NEW ZEALAND | Matatū Aotearoa

Consultation on possible changes to education council fees

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INTRODUCTION

Purpose and context of consultation

- 1 The Education Council of Aotearoa New Zealand (**the Education Council**) is seeking to consult on the fees charged to teachers including for the initial registration as a teacher and subsequent renewals of practising certificates.
- 2 The consultation will focus on what teachers may pay for, when they may pay it and how much they may pay. This includes the possible introduction of new fees. This consultation document provides information on the forecast financial position of the Education Council to provide the context behind why total fees paid by the teaching profession need to increase.
- 3 The proposed fee structure is to support the existing functions of registration and certification as well as ensuring that the Education Council delivers on its statutory remit to raise the status of the profession through providing leadership and direction to the profession, maintain standards and criteria for registration, and to perform the functions related to competence and discipline.
- 4 The Education Council is seeking your input into:
 - (a) How much the Education Council should charge for the various services provided
 - (b) Whether practising certificates are issued for a period of one year or three and how the Council would transition to an annual fee if necessary
 - (c) Whether there should be a separate fee charged for registration as a teacher
 - (d) Whether the fees should be adjusted regularly to reflect the impact of inflation
 - (e) Whether the fee for an overseas applicant should be increased
 - (f) Whether the late fee paid by applicants should be increased.

Review of New Zealand Teachers Council

- 5 The Education Council's current fees were carried over from the former New Zealand Teachers Council (**the Teachers Council**). However, the need for the Teachers Council's fees to be increased was identified as early as 2012. A Regulatory Impact Statement, *Options for creating a new professional body for teaching*, produced as part of the 2012 review of the Teachers Council, concluded that:¹

“If the NZTC were to retain its statutory leadership role, then it would have to lift its performance in such areas as promoting effective teaching practice; leading and promoting public discussion; and raising the status and quality of informed debate on education issues... These shortcomings contributed to the conclusion that, as currently structured, governed and positioned, the Council cannot effectively set and enforce standards for entry, progression and professional accountability with the full support of the teaching profession.”

- 6 The 2012 Review Committee² attributed the issues with the Teachers Council in part to the low level of fees the Teachers Council charged for issuing and renewing practising certificates (its primary source of revenue). The Review Committee said that the Teachers Council's fees were low compared to other professional bodies, and had not been increased since 2010.³ The revenue obtained from practising certificate fees was being applied to cross-subsidise the Teachers Council's other functions, including its disciplinary and professional leadership functions, but the level of fee charged was insufficient to allow the Teachers Council to perform all of its statutory functions effectively. This meant that the Teachers Council was operating at a significant deficit.

1 Ministry of Education Regulatory Impact Statement: *Options for creating a new professional body for teaching* (2011) at p 4.

2 The Cabinet Social Policy Committee agreed on 28 September 2011 that the role, functions, capacity, capability and effectiveness of the Teachers Council would be reviewed. Cabinet approved the review and terms of reference of the Teachers Council on 23 April 2013.

3 Review Committee *Review of the New Zealand Teachers Council: A Teaching Profession for the 21st Century* (2012) at p 3. See also pp 74–75.

- 7 Regarding the payment of fees by teachers, the Review Committee recommended that:⁴

“...the Teachers Council should review the current fee levels to bring them in line with other major state sector social service professions...we were interested to compare the membership fees for the Teachers Council (\$220.80 every three years, the equivalent of \$73.60 per annum) with those paid by registered members of other professions in New Zealand. Annual fees for members of other New Zealand professions are as follows: registered nurses, \$110; professional engineers, \$418.60; lawyers, \$1451.30.”

- 8 The Review Committee also recognised that the Teachers Council’s ability to charge fees was necessarily linked with its ability to perform its functions to a high standard:⁵

“...the Teachers Council should have more rigorous quality assurance processes for initial and ongoing registration and for granting Practising Certificates.

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

- 9 In response to the Review Committee’s recommendations, a Ministry of Education paper seeking Cabinet’s approval to reform the Teachers Council noted that the calls for reform were based on a “reasonably widespread view” that the Teachers Council had not fulfilled its functions of promoting teaching as a profession, enhancing the standing of teachers in communities, providing professional leadership, contributing to a safe and high quality teaching and learning environment for children and other learners, registration, and establishing and maintaining a disciplinary regime for the conduct and competence of teachers.⁶ The paper stated that:⁷

“There have been a number of cases where teachers who are not fit to teach have been able to gain registration and continue to be assessed as meeting the criteria for a satisfactory teacher. Even for the vast majority of teachers who behave responsibly and professionally, assessment for teacher registration would benefit from more robust processes.”

- 10 The paper also recognised that a “greater leadership role” for the Teachers Council would “require an increase in members’ fees”, which were “currently significantly lower compared with other professional bodies”.⁸

Establishment of Education Council

- 11 The Education Amendment Act 2015 disestablished the Teachers Council and introduced the Education Council. The Amendment Act expanded the Education Council’s statutory role, functions and powers, and has substantially increased the scope of the Education Council’s statutory remit compared to its predecessor. However, the Education Council has charged the same fees as the Teachers Council since its establishment, despite the annual operating deficit incurred by the Teachers Council and inherited by the Education Council (as discussed below) and despite the conclusions of an independent assessment of the Teachers Council’s financial position that it sought in November 2014. The report (dated February 2015), which was first presented to the Teachers Council and then to the Transition Board, concluded that there was a strong need for a fees increase to preserve the Teachers Council’s financial position and prevent the Teachers Council becoming insolvent in September/October 2017. The Education Council was informed by the Transition Board in 2015 of the need to increase fees, though it agreed not to do so in its first year of establishment.

4 Review Committee *Review of the New Zealand Teachers Council: A Teaching Profession for the 21st Century* (2012) at p 77. See also p 85.

5 Review Committee *Review of the New Zealand Teachers Council: A Teaching Profession for the 21st Century* (2012) at p 3. See also pp 74–75.

6 Office of the Minister of Education *Cabinet Paper: Quality Teaching Agenda: Transformation of the New Zealand Teachers Council into a professional body for the 21st Century* (2013) at [11]–[12].

7 At [13].

8 At [74]–[76].

- 12 The Education Council received one-off funding of \$3 million from the Government to cover its initial establishment costs, and the drafting of new practice standards and a code of professional responsibility for teachers (which are all due and on track for finalisation by 1 July 2017).
- 13 In October 2016, the Ministry of Education sought Cabinet approval to provide the Education Council with transitional funding to support the Council to become self-sufficient in performing its statutory functions under the Education Act 1989, including raising the status of teaching, leading the teaching profession, and setting and maintaining high professional standards for teachers and education leaders.
- 14 In November 2016, Cabinet agreed and announced that the Education Council would receive \$21.34 million in transitional funding over the next three years. The transitional funding is intended to cover the period up until the current collective agreements expire in June 2019 during which period the Education Council would undertake a full consultation on the fees charged. The transitional funding, which is a one-off investment, is conditional on the Council becoming self-sufficient and financially sustainable by 1 July 2019. The Funding Agreement sets interim milestones that the Education Council must achieve before the Ministry transfers funds.
- 15 The Education Council has also undertaken a comparison of the fees it charges for the performance of its statutory functions and its provision of goods and services to other professional regulatory bodies in New Zealand (as set out in **Appendix Three**). This review indicated that the Education Council is a significant outlier compared to other professional regulatory bodies: its fees are lower than other professional regulatory bodies, and it does not charge fees for several of its core functions, unlike other professional regulatory bodies.

CONSULTATION AND TIMEFRAME

- 16 The Education Council is now consulting with the profession and other affected parties on the proposed changes consistent with its obligation to act in accordance with the rules of natural justice.⁹ The Education Council has issued this consultation paper to give parties affected by the fee changes adequate notice of, and relevant information regarding, the proposal, so that those affected can have a reasonable opportunity to make an informed response and to state their views.¹⁰
- 17 If following consultation, the Education Council decides to introduce any of the new fees, the proposed implementation date for a change of fees would be **1 July 2019**.
- 18 The Education Council is seeking your feedback to help inform any decision on whether to implement the proposed fee changes in whole or in part or at all. Please provide written feedback on the proposed fee changes to the Education Council on or before **5pm on 5 May 2017**.
- 19 You can choose to engage in the consultation by providing feedback in a number of ways including using the submission template in Appendix Four of this document; through our online survey, or by writing your own submission and emailing it to feesconsultation@educationcouncil.org.nz
- 20 These submissions will be considered and taken into account by the Education Council with an open mind before it makes a decision whether or not to implement the proposed fee changes.
- 21 It is intended that a summary and an analysis of the submissions will be put on the Education Council's website.
- 22 Any fee changes will be notified in the *Gazette* if the Education Council decides to implement any of them following consultation.¹¹

⁹ Education Act 1989, s 382(3).

¹⁰ This is consistent with the core principles of consultation, as discussed in *Wellington International Airport Ltd v Air New Zealand* [1993] 1 NZLR 671 (CA) at 676.

¹¹ The Education Council must notify all fees charged under s 383(1) in the *Gazette* under s 383(2) of the Education Act 1989. Fees prescribed under s 364(1) must be notified in the *Gazette* under s 364(2), and fees prescribed under s 372 must be notified under s 372(2).

CURRENT FUNDING FRAMEWORK

Legal authority to set fees

- 23 The Education Council currently has the power to set fees under sections 364, 372 and 383 of the Education Act 1989, including for:
- (a) registration effected in different circumstances¹²
 - (b) the issue of practising certificates of different kinds¹³
 - (c) the issue of limited authorities to teach¹⁴
 - (d) costs relating to the performance of disciplinary functions¹⁵
 - (e) the provision of professional leadership¹⁶
 - (f) the provision of goods and services¹⁷
 - (g) inspection of the Register or any other documents kept by the Education Council that are open to inspection,¹⁸ and
 - (h) supplying documents kept by the Education Council that are open to inspection (including information on the Register).¹⁹
- 24 The Education Council's fee-setting powers are more extensive than those of its predecessor, the Teachers Council, which did not have the power to set fees for disciplinary costs or the provision of professional leadership.²⁰ The Education Council's fee-setting powers are also broadly stated, and do not prescribe criteria limiting when the Education Council may fix a fee, or the level of such a fee.²¹ Nor does the Education Council, as an independent statutory body, require Ministerial approval in order to prescribe fees, as was the case with the Teachers Council.

Principles for setting fees

- 25 Although the Education Council has a broad statutory discretion when prescribing fees, it has also considered existing guidance on setting charges in the public sector, including the Treasury's *Guidelines for Setting Charges in the Public Sector*²² and the Office of the Auditor General's *Good Practice Guide: Charging fees for public sector goods and services*, in developing the proposed fee changes.²³

12 Education Act 1989, s 364(1)(a). The Education Council may also charge fees for any addition or alteration to a person's registration as a teacher (s 383(1)(a)), and recover any reasonable costs incurred in the proposed or actual cancellation of a person's registration as a teacher (s 364(5)).

13 Education Act 1989, s 364(1)(b). The Education Council may also charge fees for any addition or alteration to a person's practising certificate (s 383(1)(b)).

14 Education Act 1989, s 372(1). The Education Council may also charge fees for any addition or alteration to a person's limited authority to teach (s 383(1)(c)).

15 Education Act 1989, s 383(1)(g).

16 Education Act 1989, s 383(1)(f).

17 Education Act 1989, s 383(5).

18 Education Act 1989, s 383(1)(d).

19 Education Act 1989, s 383(1)(e).

20 Although the Teachers Council could charge for performing some of its other functions, including the provision of goods and services and providing access to the register, it could only do so with Ministerial approval.

21 With the exception of ss 364(5) and 372(5), which state that, when charging individual teachers for the costs of proposed or actual cancellation of teachers' registration or limited authority to teach, the Education Council may only charge for "reasonable costs" incurred. Section 383(1)(g) also refers to fees for "costs relating to the performance of disciplinary functions".

22 The Treasury *Guidelines for Setting Charges in the Public Sector* (2002).

23 Office of the Controller and Auditor General *Good Practice Guide: Charging fees for public sector goods and services* (2008).

CURRENT FINANCIAL POSITION

Sources of funding

- 26 The Education Council's funding is mainly derived from fees charged for teachers' registration, practising certificates, and limited authorities to teach. These fees comprised \$7,552,000 of the Teachers Council's total revenue of \$8,942,000 (84.5%) in the 2015 fiscal year²⁴ and \$7,768,000 of the Education Council's total revenue of \$11,776,000 (66%) in the 2016 fiscal year²⁵. The Education Council receives only a small amount of ongoing funding from the Ministry of Education, \$178,000 per annum, to assist with professional development projects started by the Teachers Council.²⁶
- 27 Fees are the primary permanent source of income the Education Council receives to meet all ongoing costs associated with its statutory functions, as well as its operating and administration expenses and secretariat costs.
- 28 The current fees set by the Education Council are fully detailed in **Appendix One** of this consultation paper, and a summary of the proposed fees is set out in **Appendix Two**.
- 29 Fees for the issue or renewal of practising certificates are currently paid by the Secretary for Education under the following Collective Agreements: the Area School Teachers' Collective Agreement 2016-2019 (valid to April 2019); the Area School Principals' Collective Agreement 2016-2019 (valid to June 2019); the Primary Teachers' Collective Agreement 2016-2018 (valid to June 2018); the Primary Principals' Collective Agreement 2016-2018 (valid to May 2018); the Secondary Teachers' Collective Agreement 2015-2018 (valid to October 2018); and the Secondary Principals' Collective Agreement 2016-2019 (valid to May 2019).²⁷

Deficit inherited from the Teachers Council

- 30 Teachers Council's annual reports for the 2013/14 and 2014/15 financial years show the Council was operating at a significant deficit prior to the Education Council's establishment. In the financial year ended 30 June 2013, the Teachers Council had a deficit of \$17,415.²⁸ This deficit was \$576,147 in the financial year ended 30 June 2014,²⁹ and was \$460,000 for the 2014/15 financial year.³⁰
- 31 The annual reports attributed the Teachers Council's deficit primarily to the teacher registration and practising certificate fees not being increased since 2010, given this was (and remains) the main source of the Council's funding. During this period the cost of business has increased, with CPI increasing by 10.7% between 2010 and 2017.³¹
- 32 In addition, the Teachers Council's ongoing costs grew because of the increased number of cases undergoing conduct and competence processes, and the associated legal fees. The Teachers Council exceeded its budget by \$386,405 in 2014 and \$332,169 in 2015 for legal fees.³² It exceeded its budget by \$145,039 in 2014 and \$146,774 in 2015 for personnel costs, including employing temporary staff to help maintain conduct and competency cases output. The 2015 Annual Report cautioned that failure to increase fees could harm the sustainability of the Teachers Council's future financial position:³³

24 Teachers Council *Annual Report 2014-2015* (2015) at p 28.

25 The calculation for the 2016 fiscal year excludes the one off adjustment to revenue (see note 18 Education Council Annual Report 2015/16)

26 This appropriation started in 2001/02, at the time of the establishment of the Teachers Council (1 Feb 2002). The grant was for the new NZTC to "establish its new leadership function", and the initial appropriation allocation of \$550,000 included set-up costs. The grant reduced to \$300,000 in 2002/03, \$200,000 in 2003/04 due to assistance given in 2002/03 for set-up costs, then down to \$178,000 the following year.

27 In contrast, under the Early Childhood Education Collective Agreement of Aotearoa New Zealand 2015-2016, Part 15(b), the teachers' employer "shall reimburse the cost of initial teacher registration and of the renewal of practising certificates for all registered teachers in their employ on the understanding that teachers actively maintain their practising certificates".

28 Teachers Council *Annual Report 2013-2014* (2014) at p 24.

29 Teachers Council *Annual Report 2013-2014* (2014) at p 29.

30 Teachers Council *Annual Report 2014-2015* (2015) at p 29.

31 Reserve Bank "Inflation calculator" <www.rbnz.govt.nz> (accessed 21 March 2017). CPI is calculated for the period between 2010 Q1 and 2016 Q4.

32 The Disciplinary Tribunal may issue costs awards to the Education Council for successful Complaints Assessment Committee cases prosecuted, but this is not a reliable means of recovering the costs associated with this process, as addressed below.

33 Teachers Council *Annual Report 2014-2015* (2015) at p 26 (emphasis added).

“The Council makes periodic rather than regular adjustments to registration fees and, because fees have not been adjusted for a number of years, the Council has run operating deficits in the last two years. These have been funded by drawing on reserves accumulated from surpluses in earlier years. **This implies, however, a progressive deterioration in the Council’s financial position in the future in the absence of a further increase in registration fees.**”

33 The assets and liabilities of the Teachers Council were vested in the Education Council on the commencement of the Education Amendment Act 2015. The existing fee structure means that the Education Council has inherited an operating deficit from the Teachers Council upon its establishment.³⁴ The Education Council cannot continue to rely on surpluses from earlier years derived from practising certificate fees (as occurred in the 2014/15 financial year), as these reserves are not sufficient to meet the projected operating deficits beyond the Funding Agreement, especially given the additional functions given to the Education Council.

Forecast Financial Position

34 An overview of the Teachers Council and the Education Council’s actual and projected income and expenses for the fiscal years from 2012/13 to 2020/21 is set out in the table below. The forecasts are based on existing fee levels and the impact of the Funding Agreement with the Ministry of Education (see para 14). This demonstrates that the fees currently prescribed by the Education Council do not allow it to sustainably fund the performance of its statutory functions, such that it is projecting a deficit of \$9.595m in 2019/20 and \$9.769m in 2020/21, in the absence of any fee changes.

Table 1. Actual and projected revenue and expenses of Teachers Council and Education Council between 2012/13 and 2020/21 based on existing fees structure (\$’000)

	2012/13 actual	2013/14 actual	2014/15 actual	2015/16 actual ³⁵	2016/17 forecast	2017/18 forecast	2018/19 forecast	2019/20 forecast	2020/21 forecast
Total income	7,702	8,046	8,942	16,680	9,603	8,038	8,510	8,632	8,877
Total Expenditure ³⁶	7,719	8,622	9,402	10,520	14,536	16,843	18,019	18,227	18,646
Operating Surplus/ (Deficit) before Government Funding Agreement (See Para 14)	(17)	(576)	(460)	6,160	(4,933)	(8,806)	(9,508)	(9,595)	(9,769)
Crown Funding Agreement (\$21.34m) ³⁷	-	-	-	-	4,934	6,946	9,458	-	-
Operating Surplus/ (Deficit) after Government Funding Agreement	(17)	(576)	(460)	6,160	1	(1,860)	(50)	(9,595)	(9,769)

34 See Education Act 1989, Sch 20, cl 4.

35 The increase in revenue in 2015/16 reflects the one-off revenue recognition policy adjustment (see note 18, Education Council Annual Report) and the Grant funding from the Government to assist with the establishment of the Council.

36 The increase in expenditure between 2014/15 and 2017/18 largely reflects the anticipated growth in the Education Council required to deliver its expanded statutory functions, including an increase in full-time equivalents from 56 to 117.

37 Cabinet agreed to a funding package of \$21.34m to be paid to the Education Council over the three years to June 2019. Without this funding, the Education Council had forecast that it would be insolvent by March 2018.

Improving efficiencies and reduction of expenditure

35 In considering whether it is necessary to introduce new fees, the Education Council has also taken steps since its establishment to increase efficiencies and reduce its expenditure, with the aim of reducing the costs borne by the profession and others. Although these efficiencies will save costs and time in the long-term, many of these measures are still being implemented, and there are costs involved in achieving these efficiencies.

Teacher Practice (Competence and Conduct)

36 The Education Council's Teacher Practice team has implemented various procedures to ensure better efficiencies dealing with complaints and mandatory reporting about teachers. A triage committee has been established, to ensure complaints and mandatory reports are sent to the correct area: conduct or competence. The triage committee is also able to send complaints and mandatory reports back to the initiator if it deems it inappropriate to send them further, or it can refer complaints and mandatory reports to the school or early childhood education centre ('ECE centre'). Investigators now look at conduct matters, carry out an investigation and report to the Complaints Assessment Committee ('CAC'). This saves the CAC carrying out investigations, and improves consistency, as well as timeliness.

37 The legal advice for investigations and decision-making bodies is now provided by in-house counsel rather than external lawyers. This has saved a significant amount in legal costs, estimated at \$214,000 per annum, as well as improving the consistency of legal advice. Annual reports in previous years identified legal costs as one of the main contributors to the Teachers Council's increased expenses.

38 The Education Council has also recently established a specialised body, the Competence Authority, which makes decisions relating to teachers about whom there are competence concerns. Previously competence matters were considered by the governing body, the Education Council.

Registration and issue/renewal of practising certificates

39 The Education Council is in the process of implementing an online registration and practising certificate application system to replace paper application forms, which will take place over the next few years. It will enable teachers to submit an accurate practising certificate renewal application in a timely manner via a secure online portal, accessible twenty four hours a day, seven days a week. The online system will also provide opportunities to improve the Education Council's service performance analysis and reporting.

40 Implementing an online system will reduce the time needed for teachers to complete compliance processes, and improve the efficiency of the Education Council's services to the profession. It will bring administrative and compliance cost savings for both the Education Council and teachers by way of reduced printing, document management, data entry and fees for accessing certified copies of documents.

41 Time saved in reduced administration and compliance will enable the Education Council staff to focus on supporting teachers by delivering increased capability and leadership development.

42 The Education Council is in the process of reviewing the interim registration policy that came into effect on 1 July 2015. This will clarify and further improve the process of registering and issuing a practising certificate and a Limited Authority to Teach.

Corporate

43 In the next couple of years, the Education Council intends to improve the support services provided by its Services and Operations team through a number of projects, to ensure that systems are efficient, robust and fit for purpose.

Professional Services

44 The Governing Council is reviewing the process for the approval, review and monitoring of initial teacher education programmes. This work will lead to a more fit for purpose and evidence-based approach, using system resources to best effect, and will be consulted on separately. The costs will be recovered directly from the providers and therefore does not impact the profession.

Fee changes necessary to deliver expanded statutory remit

- 45 As noted in paragraph 31, the existing fees of the Education Council have not been updated since 2010 under the former Teachers Council. The core rationale for the proposed fee changes is to ensure the Education Council is obtaining adequate fees to recover the costs of providing its expanded statutory remit and to support the additional personnel required to carry out these functions. It is critical that the Education Council does not encounter similar funding issues to the Teachers Council, which impeded the Teachers Council's ability to effectively carry out its statutory functions.³⁸
- 46 The Education Council does not currently prescribe separate fees to carry out several of its core functions under the Education Act, including performing its disciplinary functions/maintaining professional standards, maintaining the Register for public access and inspection, and providing professional leadership.
- 47 The Education Council's functions are set out under section 382(1) of the Education Act 1989:
- (a) to provide leadership to teachers and direction for the education profession
 - (b) to enhance the status of teachers and education leaders
 - (c) to identify and disseminate best practice in teaching and leadership and foster the education profession's continued development in light of research, and evidence of changes in society and technology
 - (d) to carry out the functions under Part 31 relating to teacher registration
 - (e) to establish and maintain any criteria for teacher registration under Part 31 that the Education Council considers necessary or desirable
 - (f) to establish and maintain standards for qualifications that lead to teacher registration
 - (g) to conduct, in conjunction with quality assurance agencies, approvals of teacher education programmes
 - (h) to establish and maintain—
 - (i) standards for ongoing practice; and
 - (ii) criteria for the issue of practising certificates of different kinds
 - (i) to ensure that appraisals made by professional leaders for the issue and renewal of practising certificates achieve a reasonable and consistent standard, by auditing and moderating the appraisals made for at least 10% of the practising certificates issued or renewed in each year
 - (j) to establish and maintain a code of conduct for teachers under section 387
 - (k) to monitor and enforce the requirements relating to mandatory reporting in this Part and Part 31
 - (l) to perform the disciplinary functions in this Part relating to teacher misconduct and reports of teacher convictions
 - (m) to set the criteria for reporting serious misconduct and for reporting on competence issues
 - (n) to perform the functions in this Part relating to teacher competence
 - (o) to co-ordinate a system providing for the vetting by the Police of all teachers
 - (p) to perform any other functions conferred on it by this Act or any other enactment.
- 48 The Education Amendment Act 2015 significantly expands the Education Council's functions in the following areas:
- (a) **Professional leadership:**
 - (i) While part of the purpose of the Teachers Council was to “enhance the professional status of teachers in schools and early childhood education”,³⁹ the Education Council's purpose is more broadly stated to include “raising the status of the profession”, and it has express responsibility for providing direction to the profession and enhancing its status.⁴⁰

³⁸ As discussed above, the Review Committee attributed the issues with the Teachers Council in part to the low level of fees the Teachers Council charged for issuing and renewing practising certificates, which was being applied to cross-subsidise the Teachers Council's other functions, including its disciplinary and professional leadership.

³⁹ Education Act 1989, ss 139AA and 139AE(a) (repealed).

⁴⁰ Education Act 1989, ss 377, 382(1)(a) and (1)(b).

(b) **Quality assurance:**

- (i) The Teachers Council was not responsible for auditing and moderating appraisals to ensure that professional leaders were using meaningful and satisfactory evidence when endorsing an application for a practising certificate. The insertion of section 382(1)(i), requiring the Education Council to undertake moderation and appraisals of practising certificates, reflects the Education Council's strengthened quality assurance role
- (ii) The Education Act now requires the Education Council to set criteria for teacher registration, emphasising that setting teacher standards is a core function of the Education Council⁴¹
- (iii) The criteria for becoming or remaining a registered teacher also now require the Education Council to specifically check that applicants have not been convicted of a specified offence, as defined in the Vulnerable Children Act 2014.⁴²

(c) **Discipline, conduct and competence:**

- (i) The Education Council is required to establish and maintain a code of professional responsibility,⁴³ whereas the Teachers Council was required to establish a code of ethics, which entailed less prescriptive requirements⁴⁴
- (ii) The Education Council is now expressly required to monitor and enforce the requirements relating to mandatory reporting in the Education Act⁴⁵
- (iii) The 2015 Amendment Act requires employers to report complaints about former employees whereas previously the employer had discretion not to if they believed the complaint to be vexatious⁴⁶
- (iv) The Education Council has discretion whether to refer complaints and reports relating to teacher conduct to the CAC.⁴⁷ The Teachers Council had no such discretion⁴⁸
- (v) The Education Council is able to investigate matters relating to teacher competence of its own motion.⁴⁹ The Teacher's Council could only investigate after receiving a complaint or mandatory report⁵⁰
- (vi) Section 412(a)(iv) of the Education Act allows the Education Council to impose conditions on any subsequent practising certificate or authority issued to the teacher if satisfied the teacher has not reached the required level of competence. The Teachers Council could impose conditions on the teacher's current practising certificate or authority – but not on any subsequent certificate or authority.⁵¹

49 The Education Council's expanded statutory remit and workload is demonstrated by the increase in staff it has needed to employ. As at June 2015, the Teachers Council employed 57.3 full-time equivalent ('FTE') employees (and was advertising for two vacancies). By February 2017, the Education Council employed 66.6 FTE employees (and was advertising for three vacancies), six employees were on secondment and there were nine contractors, amounting to a total of 81.6 FTE employees. By June 2018 the Education Council is anticipating a total of 103 FTE. These additional staff were employed primarily in the Registration and Contact Centre team, the Teacher Practice team (responsible for issues of conduct and competence), strengthened Corporate teams and the Professional Services team (responsible for the new function of providing professional leadership).

50 The newly appointed staff also includes a new Chief Executive, Deputy Chief Executive, Chief Financial Officer and General Manager Professional Services to ensure that the Education Council can increase its leadership capability, including by leading culture change, improving the service focus to the profession and the ability to deliver on its statutory role of enhancing the status of the profession.

41 There was no equivalent provision prior to the Education Amendment Act 2015.

42 Education Act 1989, s 353.

43 Education Act 1989, s 382(1)(j).

44 Education Act 1989, s 139AE(g) (repealed).

45 Education Act 1989, s 382(1)(k). There was no equivalent provision prior to the Education Amendment Act 2015.

46 Education Act 1989, s 139AL (repealed).

47 Education Act 1989, s 400(2).

48 Education Act 1989, s 139AS(1) (repealed).

49 Education Act 1989, s 410(3).

50 Education Act 1989, s 139AZCB (repealed).

51 Education Act 1989, s 139AZCB (repealed).

- 51 The additional FTE will be critical in delivering the Education Council's broader functions of providing professional leadership services and engaging with the profession on important education issues so that it is able to champion the profession.
- 52 Over time, functions currently managed by the Ministry of Education, such as professional learning and development, may also transfer to the Education Council. The costs of managing any functions transferred are expected to be funded by the Crown, and negotiated as part of any transfer arrangement. Any such costs are not included in this consultation document.
- 53 The functions that the Education Council is solely responsible for performing serve important purposes, including quality assurance and teacher discipline, competence and conduct,⁵² which are critical to ensuring the safety of children and young people in educational settings, and quality teaching. Accordingly, there are potentially serious ramifications for child safety and the quality of education if the Education Council lacks capability to perform its statutory functions due to inadequate funding. This would be contrary to the best interests of the Education Council's stakeholders.

Fees out of alignment with other professional regulatory bodies

- 54 Both the type and level of fees charged by the Education Council are inconsistent with the fees charged by other professional regulatory bodies, with the Education Council charging far less and a smaller range of fees. The table in **Appendix Three** sets out the fees currently charged by the Education Council compared to those charged by other New Zealand professional regulatory bodies.
- 55 The range and level of fees prescribed by other professional bodies is discussed below in relation to the services provided by the Education Council.

OPTIONS FOR FEE CHANGES BEING CONSULTED FOR IMPLEMENTATION IN MID-2019

- 56 The Education Council is considering increasing fees under section 383(1) of the Education Act 1989 ('the Education Act') to enable sufficient funding to deliver its increased statutory functions discussed above.
- 57 The Education Council is considering introducing a registration fee, which is a separate fee payable on the initial registration as a teacher, and would be in addition to the fee for being issued with a practising certificate.
- 58 Currently practising certificates are issued at the same time as registration. The change to the legislation at 1 July 2015 enabled registration that does not expire. This allows for teachers to remain on the register even if they are not currently practising as a teacher. Registration signals that a teacher has met the initial requirements for entry to the teaching profession – i.e. that they have demonstrated that they are of good character and fit to be a teacher, are satisfactorily trained to teach, they meet the criteria for registration and have a satisfactory police vet (S353). Some teachers not able to move to full certification in the future may choose to let this lapse in favour of maintaining registration only. Once registered a teacher remains registered for life unless cancelled. All teachers are visible on the register, which includes practising certificate status, annotations and notes.
- 59 The Education Council is considering that in future fees will be reviewed on a regular basis to account for:
 - (a) The impacts of inflation by applying a weighted average of the Consumer Price Index and the Labour Cost Index
 - (b) Further increases or decreases in the Education Council's functions
 - (c) Efficiency savings achieved through improved processes and automation, and
 - (d) An increase or decrease in competency or conduct matters being dealt with by Council committees and tribunals.

⁵² Education Act 1989, ss 382(1)(d)–(1)(o).

- 60 The Education Council is also consulting on whether practising certificates should be valid for one year at a cost of \$170, or three years at a cost of \$550. We note that the Education Council cannot move to recertification on an annual basis until certification is moved to an online environment which is expected to be in place by early 2019. Should a decision be made to move from three yearly to annual recertification, the Education Council will engage with the profession on how a transition could take place.
- 61 The Education Council is also consulting on whether to:
- (a) Increase the fee for issuing of a first practising certificate for overseas applicants (including those applying under the Trans-Tasman Mutual Recognition Act 1997 ('TTMRA')) from \$302.57 (GST inclusive) to \$610.00 (GST inclusive)⁵³
 - (b) Increase the fee for issuing a limited authority to teach from \$56.22 (GST inclusive) to \$170.00 (GST inclusive) per year.⁵⁴

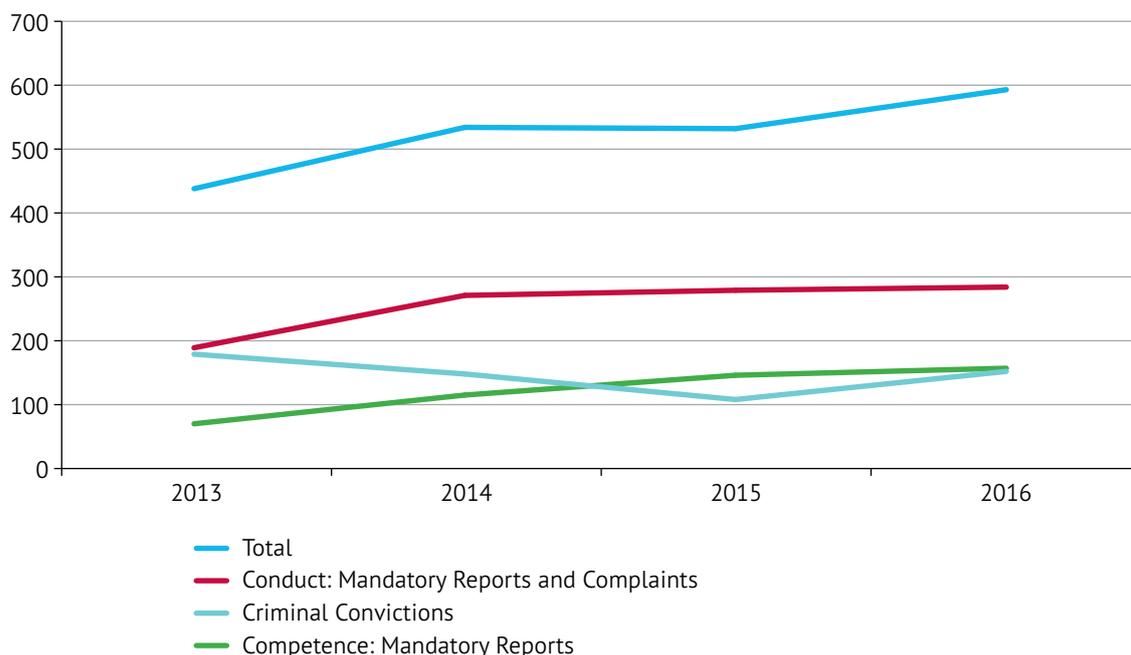
Expenditure related to delivering a disciplinary function

- 62 Section 383(1)(g) of the Education Act, which was inserted by the Education Amendment Act 2015, expressly empowers the Education Council to fix fees for "costs relating to the performance of disciplinary functions".
- 63 The Teachers Council's annual reports for the 2013/14 and 2014/15 reporting years show that the costs associated with performing its complaints and disciplinary function comprised a significant proportion of its operating costs.
- 64 The Education Council, like its predecessor only partially recovers the costs of this function through Tribunal awarded costs. Disciplinary costs are projected to continue increasing through 2016/17 and 2017/18 fiscal years. This increase in costs is primarily due to the increased number of cases going to the Tribunal and to the increase in staff needed (and associated administration expenses) to carry out the Education Council's expanded disciplinary functions..
- 65 The Disciplinary Tribunal may award to be paid to the Education Council a portion of the direct costs incurred by the Education Council for successfully prosecuting CAC cases, but this does not cover the full costs of operating the Teacher Practice team. In total approximate costs awarded range from 30% to 50% of the costs incurred by the Education Council in relation to the cases taken to the Disciplinary Tribunal.
- 66 The following chart illustrates that the number of disciplinary, conduct and competence complaints has been steadily increasing since the Education Council's establishment. The number of mandatory reports has increased, especially for teachers' competence. Over the last four years, there have been presentations to professional leaders on the requirement to file mandatory reports. There has also been an increased awareness in the media about teachers being disciplined. In 2014, the Disciplinary Tribunal's hearings were opened to the public (having previously been closed) and the Tribunal's decisions began including the names of teachers. This resulted in the media regularly reporting Tribunal decisions as soon as they were published on the Teachers Council's (and now the Education Council's) website. This raised media awareness and has, in turn, raised the awareness of professional leaders and employers to report teachers to the Education Council for disciplinary matters. The total number of reports received by the Education Council involving conduct, criminal convictions and competence has increased as a result.

⁵³ The Education Council may prescribe fees for registration effected in different circumstances under s 364(1)(a) of the Education Act 1989.

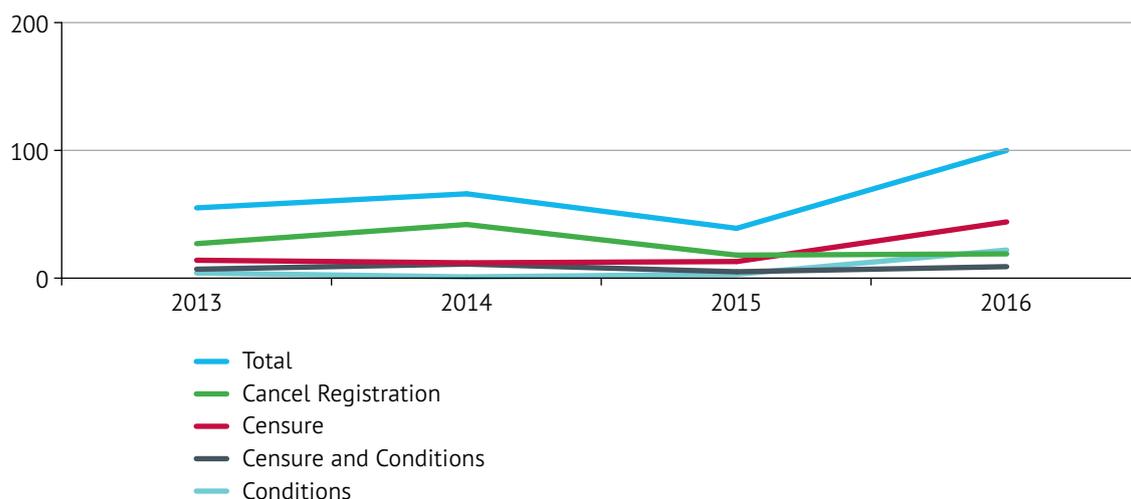
⁵⁴ The Education Council may prescribe fees for limited authorities to teach under s 372(1) of the Education Act 1989.

Chart 1. Total reports received 2013-2016



67 A further factor in the increasing cost involved in performing this function, especially over the last year, was the insertion of section 401(4) under the Education Amendment Act 2015 requiring the CAC to refer all teachers who may have engaged in serious misconduct to the Disciplinary Tribunal. Previously, the CAC had discretion whether to refer such cases to the Disciplinary Tribunal.⁵⁵ The removal of this discretion has resulted in a significant increase in the number of cases being referred, which has a direct effect on costs. The number of disciplinary hearings increased from seven hearings in the 2012/13 fiscal year to 59 in 2013/14 and 46 in 2015/16. This overall increase is forecast to continue, with 90 disciplinary hearings forecast for 2017/18.

Chart 2. Outcome of disciplinary hearings 2013-2016



⁵⁵ Education Act 1989, s 139AT(4) (repealed). The CAC was required to refer a matter concerning a teacher to the Disciplinary Tribunal if it was satisfied on reasonable grounds that: (a) the teacher has engaged in serious misconduct; and (b) the matter should be referred to the Disciplinary Tribunal.

68 The majority of other New Zealand professional regulatory bodies charge members an annual disciplinary levy to fund their disciplinary functions. As part of the annual practising certificate fee, professional bodies such as the Nursing Council and the New Zealand Psychologists Board include a levy for the Health Practitioners Disciplinary Tribunal (\$10 and \$176 respectively).⁵⁶ Although the disciplinary levy for registered nurses is small, the annual practising certificate fee for nurses (\$110) is still significantly higher than for certificated teachers (\$73.60 per annum or \$220.80 every three years), and is also low compared to other professional bodies. The Midwifery Council and the Dental Council charge an annual disciplinary levy of \$50 and \$166.20 in addition to their registered practitioners' annual practising fee. Although the Social Workers Registration Board's disciplinary fee is currently set at zero, it prescribed an annual fee of \$56.25 between 2004 and 2005, and \$90 between 2005 and 2010, and its annual practising certificate fee of \$368 is significantly higher than for certificated teachers. The New Zealand Law Society also imposes an annual levy of \$143.75 to support the Legal Complaints Review Office, which reviews decisions made by the New Zealand Law Society and the New Zealand Society of Conveyancers Standards Committees on complaints against lawyers and conveyancers.⁵⁷

Expenditure to enable inspection of and access to the Register

- 69 The Education Council is required to keep and maintain an accurate online register of people who are registered as teachers under section 359 of the Education Act. The direct costs to maintain the Register, including ensuring any conditions imposed on a teacher's practising certificate following disciplinary proceedings are recorded in the Register is approximately \$310,000 per annum.
- 70 The Education Council currently allows members of the public free access to the Register, and is the only professional regulatory body we reviewed except for the New Zealand Law Society that does not charge for access to its register of professionals, and the associated costs of maintaining the register.
- 71 Other professional bodies charge for access to, or copies of, various documents relating to data on the relevant register, including in the following circumstances:
- (a) **Inspection of the register:** The Physiotherapy Board charges \$46, the Nursing Council charges \$70, and the New Zealand Psychologists Board charges \$220.
 - (b) **Copies of register or entries in the register:** The Physiotherapy Board charges \$46 for supplying register entries, the Midwifery Council charges \$50, and the Occupational Therapy Board charges \$115. The New Zealand Psychologists Board charges \$105 for a copy of the register, the Medical Council charges \$122.51 per hour for register data requests (or \$330.75 for an electronic version accessible for 12 months), and the Dental Council charges \$230 for supplying an electronic version of the register.
 - (c) **Verification of registration:** The Nursing Council charges \$70 for verification of New Zealand registration, and the Occupational Therapy Board charges \$69.
 - (d) **Verification of education programme:** The Nursing Council charges \$70 for verifying education programmes (for example, checking transcripts and documentary evidence of qualifications).
 - (e) **Various documents required for applicants seeking registration overseas:** Other professional bodies charge between \$46 and \$143.50 for supplying documents for professionals seeking registration overseas.
- 72 Having an online publicly available register of teachers benefits teachers. The Register lists those who have met the standards to enter the teaching profession and, by also showing the expiry date of the teacher's practising certificate, shows those who continue to meet the standards to practise as a teacher. It is a requirement that those employed in a teaching position in the general education system in New Zealand have a current practising certificate⁵⁸ and the Register gives assurance to employers and members of the public about which members of the profession hold a current practising certificate.

⁵⁶ The Physiotherapy Board also charges an annual disciplinary levy as part of the annual practising certificate fee, but the amount of the levy is unspecified.

⁵⁷ This type of levy is not specifically referred to in the Lawyers and Conveyancers Act 2006, but is permitted under the New Zealand Law Society's general ability to charge a levy for funds to carry out its functions.

⁵⁸ Section 374 of the Education Act 1989 makes it an offence to be employed and work as a teacher without a current practising certificate or limited authority to teach, and s 349 of the Education Act 1989 makes it an offence for an employer (that is, the board of trustees of a State school, the sponsor of a partnership school kura hōrua, the managers of a registered private school, the person or body that appoints staff at an early childhood education and care service, or the Secretary of Education, in his or her capacity as an employer) to permanently appoint a person to a teaching position without a current practising certificate.

Expenditure related to the provision of professional leadership

- 73 A key difference between the Teachers Council and the Education Council is that one of the Education Council's newly-established core functions is providing professional leadership and direction for the profession.⁵⁹ Although the Teachers Council's purpose included enhancing the professional status of teachers in schools and early childhood education, it could not charge a fee for professional leadership. The Education Council is expressly empowered to charge such a fee under section 383(1)(h) of the Education Act, reflecting that the provision of professional leadership is a critical part of the Education Council's role. In contrast, none of the other New Zealand professional regulatory bodies surveyed have the express function of providing professional leadership, and none have the power to charge a fee for the performance of such a function.⁶⁰
- 74 As discussed above, the Education Council currently receives a minimal amount of permanent Ministry of Education funding, (\$178,000 per annum), to assist it to carry out its professional leadership function and to build a high quality education workforce through effective and robust appraisal processes. This appropriation was carried over from the Teachers Council, which received this level of funding for professional services from 2004.⁶¹
- 75 Part of the transitional funding of \$21.34m is also intended to go towards the set up and development costs for the Council's expanded professional leadership function but this is not intended to cover the ongoing operational cost of running this function beyond June 2019. As discussed above, the Education Council requires additional staff compared to the number employed by the Teachers Council. Most of these additional staff are required to build sector leadership capability within the Education Council, so it can carry out its expanded professional leadership functions. These broader functions, and the Education Council's plan on delivering them over the next five years, are set out in its strategic plan.⁶²
- 76 The Education Council values collaboration with the profession and will continue to expand the ways it engages to ensure that its professional services are shaped by the profession and that it is able to speak up for the profession.
- 77 Because the provision of professional leadership is a newly established statutory function, the Education Council welcomes input from the profession on the specific areas in which it would like to see the Education Council provide direction, so that the profession will obtain the greatest benefits from the Education Council's work in this area.

Increasing registration fee for overseas and TTMRA applicants

- 78 The Education Council is proposing to increase the registration and issue of first practising certificate fee for overseas applicants (including those applying under the TTMRA).⁶³ The fee of \$302.57 (GST inclusive) that the Education Council currently prescribes for registering and issuing a first practising certificate to such applicants is much lower than the fee charged by other professional regulatory bodies, which charge higher fees to reflect the greater administrative costs involved in processing such applications compared to domestic applicants.
- 79 The chart below demonstrates that the Education Council is a significant outlier in terms of the fees charged to overseas applicants compared to other professional bodies.

59 Education Act 1989, s 382(1)(a). See also the related functions of enhancing the status of the profession (s 382(1)(b)) and identifying and disseminating the best practice in teaching and leadership and fostering the education profession's continued development in light of research, and evidence of changes in society and technology (s 382(1)(c)).

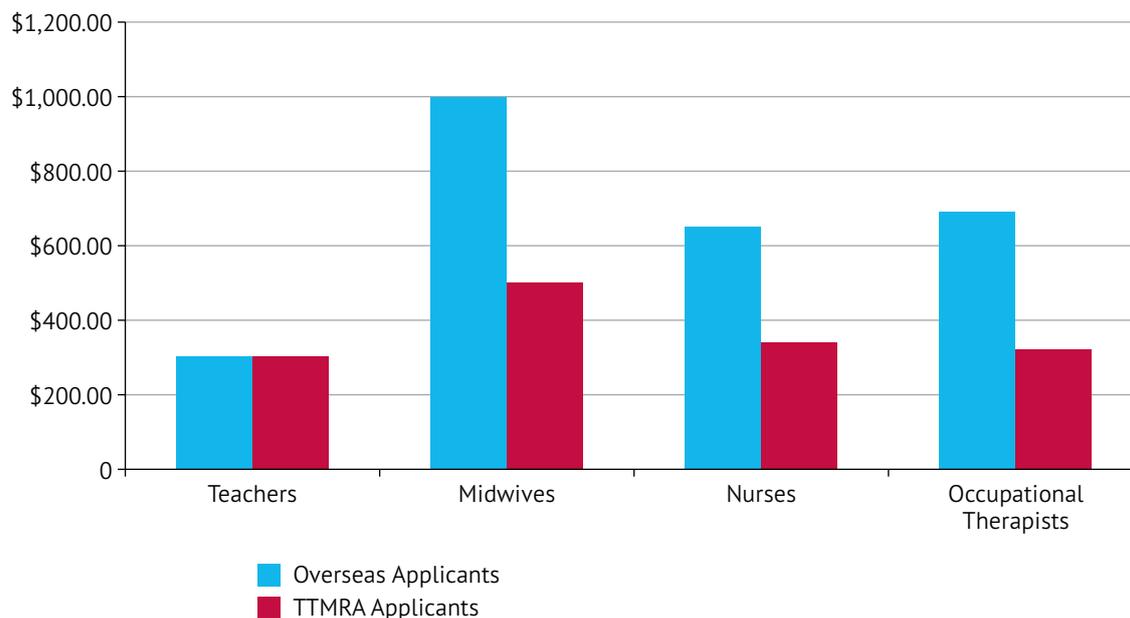
60 One of the Social Workers Registration Board's functions under s 99(1)(n) of the Social Workers Registration Act 2003 is to promote and encourage high standards of practice and professional conduct among registered social workers and the employers of social workers, yet the Board only has the ability to generally set fees for performance of its functions under s 108(1)(k). This is similar to s 383(7) of the Education Act 1989, which provides that the Education Council "has all other powers conferred by this Act or reasonably necessary to enable it to perform its functions." Several of the Australian teacher registration bodies (namely the Australian Capital Territory Teacher Quality Institute, the Queensland College of Teachers, the Teachers Registration Board of South Australia and the Teacher Registration Board of Tasmania) also have enhancing the status of the profession as one of their functions under their empowering legislation, but these bodies are not expressly permitted to charge a fee for performing this function. See ACT Teacher Quality Institute Act 2010 (ACT), ss 6(a) and (c); Teachers Registration and Standards Act 2004 (SA), s 6(b); Education (Queensland College of Teachers) Act 2005 (QLD), s 232(c); Teachers Registration Act 2000 (TAS), s 6A(c).

61 In the 2014/15 reporting year, the Teachers Council also received an additional \$732,000 in vote funding to assist in its delivery of the *Appraisal of Teachers: What is Evidence* project. In 2015/16 reporting year the Education Council received an additional \$0.250m towards the leadership of the profession and in the 2016/17 reporting year a further \$1.300m was received for this work.

62 Education Council *Our Path to the Future: Strategic Plan 2016 to 2021* (2016).

63 Such a fee increase, if implemented, would be fixed in accordance with s 364(1)(a) of the Education Act 1989, which permits the Education Council to charge different fees for registration effected in different circumstances.

Chart 3: Comparison of Overseas Registration Fees



80 Overseas applicants from other professions also have to pay an additional fee for their first practising certificates. For example, an overseas (non-TTMRA) candidate applying to be registered as a nurse in New Zealand would pay \$650 for registration and \$110 for a one-year practising certificate, a total of \$760. This is more than double the fee charged to teachers.

81 The Education Council is considering increasing the first practising certificate fee for applicants with overseas qualifications or those applying through the TTMRA to \$610 (GST inclusive) for three years or \$270 (GST inclusive) for one year, consistent with its fee-setting powers under section 364(1)(a) of the Act.

Increasing fee for limited authorities to teach

82 The Education Council is proposing to increase the fees it currently prescribes for granting limited authorities to teach.⁶⁴ The purpose of granting limited authorities to teach is to enable employers to have access to skills that are in short supply and to enable those with specialist skills but not a teaching qualification to teach.⁶⁵

83 If a decision is made to move to annual fees then LATs will also only be issued annually. The proposed fee increase takes into account the costs the Education Council incurs in processing such applications, which involves similar steps to processing applications for registration and the issue of practising certificates. The Education Council must assess whether the applicant is of good character and fit to hold a limited authority to teach, and whether the applicant has the skills and experience appropriate to advance the learning of a student or group of students, or has skills that are in short supply.⁶⁶ The Education Council also must arrange for Police vetting to ensure the applicants have not been convicted of a specified offence as defined in the Vulnerable Children Act 2014.⁶⁷

⁶⁴ Such a fee increase, if implemented, would be fixed in accordance with s 372(1) of the Education Act 1989, which permits the Education Council to fix fees for granting limited authorities to teach, by notice in the *Gazette*. The Education Council may also recover any reasonable costs incurred in dealing with a proposed or actual cancellation of a limited authority to teach (s 372(5)). The Education Council may refuse to grant any person a limited authority to teach until the appropriate fee has been paid: Education Act 1989, s 372(4).

⁶⁵ Education Act 1989, s 365.

⁶⁶ Education Act 1989, ss 366(2), 366(4)(a) and 368(2).

⁶⁷ Education Act 1989, s 366(4)(b).

Increasing fee for late applications

- 84 Ensuring that teachers meet the prescribed standard required to be issued with a practising certificate is critical to maintaining the safety of learners in Aotearoa New Zealand.
- 85 The Education Council is consulting on increasing the late fee from \$50 to \$100.

Fees to be kept under regular review

- 86 The Education Council intends to keep its fees under regular periodic review to ensure that it can fund sufficient capacity and resources to meet its statutory functions, and to ensure that the level of fee charged remains adequate, taking into account factors such as inflation, reflected by changes in the consumer price index ('CPI') and labour cost index ('LCI'). The Education Council has set the proposed fees in this consultation paper taking account of the Education Council's costs in providing its various functions. The Education Council is committed to ensuring that it operates in a transparent and cost-effective manner, while also ensuring an appropriate balance is maintained between the effective discharge of its statutory responsibilities and affordability for the profession.

How any fee increases are paid

- 87 The Education Council has investigated the possibility of any fees being paid directly by deduction from teachers' salaries; however, as registration or certification being part paid would create uncertainty as to precisely when a person is actually registered or certified to teach, and what happens if full payment is not made, this option will not be available.

Who pays what fees?

- 88 The Education Council is not proposing that any of the new or increased fees proposed would be different for different sectors or for people working different hours e.g. primary v. secondary or part-time v. full-time. This is because registration and certification of teachers is about granting the right to teach and ensuring that the quality of teachers remains high rather than about employment conditions or sector.

IMPACT OF NEW FEES

89 The Education Council has modelled the impacts of the proposed fees (see Appendix 2 for proposed fees), which are illustrated below in Tables 2 and 3 showing the impacts of annual and triennial recertification.

90 The financial modelling has been based on the total number of teachers remaining at the current level of approximately 101,000.

Table 2. Actual and projected revenue and expenses of Teachers Council and Education Council between 2012/13 and 2020/21 based on increased fees structure and annual recertification from 1 January 2019 (\$'000)

	2012/13 actual	2013/14 actual	2014/15 actual	2015/16 actual ⁶⁸	2016/17 forecast	2017/18 forecast	2018/19 forecast	2019/20 forecast	2020/21 forecast
Total income	7,702	8,046	8,942	16,680	9,603	8,038	8,510	18,734	18,723
Total Expenditure ⁶⁹	7,719	8,622	9,402	10,520	14,536	16,843	18,019	18,227	18,646
Operating Surplus/ (Deficit) before Government Funding Agreement (See Para 14)	(17)	(576)	(460)	6,160	(4,933)	(8,806)	(9,508)	507	77
Funding Agreement ⁷⁰	-	-	-	-	4,934	6,946	9,458	-	-
Operating Surplus/(Deficit) after Government Funding Agreement ⁷¹	(17)	(576)	(460)	6,160	1	(1,860)	(50)	507	77

68 The increase in revenue in 2015/16 reflects the one-off revenue recognition policy adjustment (see note 18, Education Council Annual Report) and the Grant funding from the Government to assist with the establishment of the Council.

69 The increase in expenditure between 2014/15 and 2017/18 largely reflects the anticipated growth in the Education Council required to deliver its expanded statutory functions, including an increase in full-time equivalents from 56 to 117.

70 Cabinet agreed to a funding package of \$21.34m to be paid to the Education Council over the three years to June 2019. Without this funding, the Education Council had forecast that it would be insolvent by March 2018.

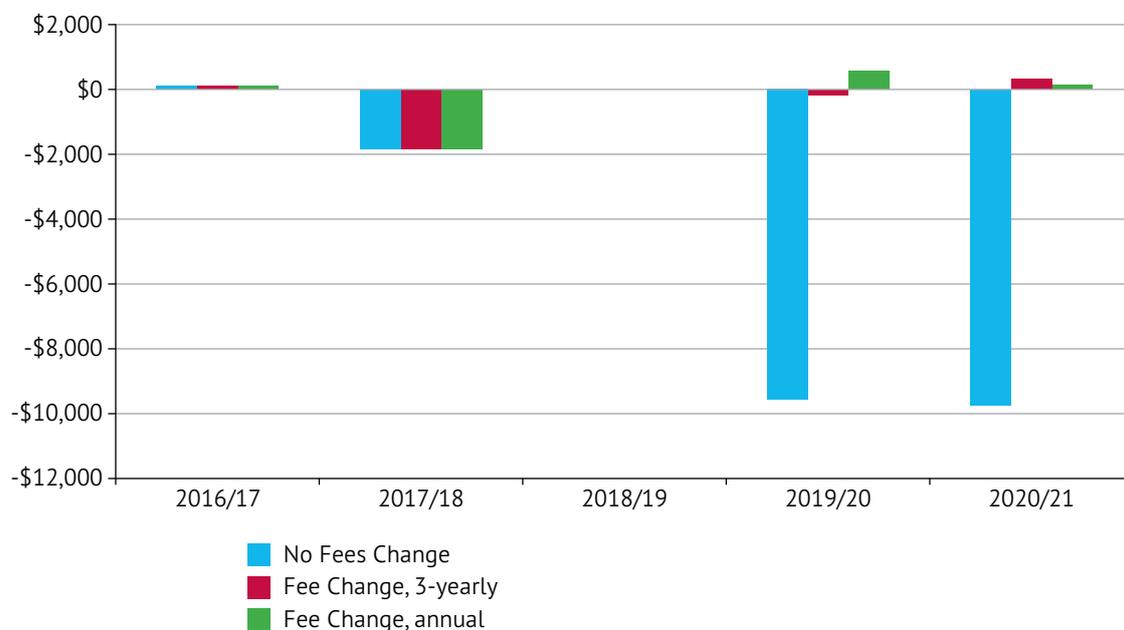
71 The Education Council has used a financial model to estimate the proposed fee increases required to fund its statutory functions. Financial models incorporate a range of assumptions that are based on the knowledge at that time, and it is prudent to build-in a level of conservatism. Any future fee reviews would take into account the actual financial position of the Education Council at that time.

Table 3. Actual and projected revenue and expenses of Teachers Council and Education Council between 2012/13 and 2020/21 based on increased fees structure and three yearly recertification from 1 January 2019 (\$'000)

	2012/13 actual	2013/14 actual	2014/15 actual	2015/16 actual ⁷¹	2016/17 forecast	2017/18 forecast	2018/19 forecast	2019/20 forecast	2020/21 forecast
Total income	7,702	8,046	8,942	16,680	9,603	8,038	8,510	18,079	18,911
Total Expenditure ⁷³	7,719	8,622	9,402	10,520	14,536	16,843	18,019	18,227	18,646
Operating Surplus/ (Deficit) before Government Funding Agreement (See Para 14)	(17)	(576)	(460)	6,160	(4,933)	(8,806)	(9,508)	(148)	265
Funding Agreement ⁷⁴	-	-	-	-	4,934	6,946	9,458	-	-
Operating Surplus/ (Deficit) after Government Funding Agreement ⁷⁵	(17)	(576)	(460)	6,160	1	(1,860)	(50)	(148)	265

91 The two scenarios are compared with the status quo in the following chart:

Chart 4: Surplus/Deficit Comparisons



72 The increase in revenue in 2015/16 reflects the one-off revenue recognition policy adjustment (see note 18, Education Council Annual Report) and the Grant funding from the Government to assist with the establishment of the Council.

73 The increase in expenditure between 2014/15 and 2017/18 largely reflects the anticipated growth in the Education Council required to deliver its expanded statutory functions, including an increase in full-time equivalents from 56 to 117.

74 Cabinet agreed to a funding package of \$21.34m to be paid to the Education Council over the three years to June 2019. Without this funding, the Education Council had forecast that it would be insolvent by March 2018.

75 The Education Council has used a financial model to estimate the proposed fee increases required to fund its statutory functions. Financial models incorporate a range of assumptions that are based on the knowledge at that time, and it is prudent to build-in a level of conservatism. Any future fee reviews would take into account the actual financial position of the Education Council at that time.

SUMMARY

- 92 The Education Council is concerned that it cannot deliver its statutory obligations with the current fee settings beyond June 2019.
- 93 To address this the Education Council is seeking feedback on:
- (a) Introducing a registration fee, which is a separate fee payable on the initial registration as a teacher
 - (b) increasing practising certificate fees to cover the full cost of providing the Education Council's expanded statutory remit
 - (c) Whether any fees should be paid annually or three yearly
 - (d) Maintaining purchasing power of fee revenue by periodically adjusting fees for inflation
 - (e) increases to limited authority to teach fees
 - (f) increases to foreign teacher registration fees
 - (g) Increases to late fees to incentivise teachers to maintain current practising certification.
- 94 Feedback is being sought by 5pm on 5 May 2017 using the forms prescribed in Appendix 4, by emailing a submission to feesconsultation@educationcouncil.org.nz, or by completing our online survey

APPENDIX ONE: CURRENT FEES CHARGED BY EDUCATION COUNCIL

Pursuant to sections 364(1), 372(1) and 383(1) of the Education Act 1989 (as amended by the Education Amendment Act 2015), the Education Council of Aotearoa New Zealand has agreed to fix the following fees for the issue of teacher registration, practising certificates and Limited Authorities to Teach (from 1 July 2015):

Schedule of Fees

- A fee of \$302.57 (GST inclusive) for applicants who have not been registered in New Zealand and who have either completed their teacher education programme overseas or who are applying through the Education Council's discretionary pathway (this fee includes the issue of a first practising certificate for three years) or for applicants applying for a practising certificate for three years under the Trans-Tasman Mutual Recognition Act (TTMRA).
- A fee of \$220.80 (GST inclusive) for applicants who have completed their teacher education qualification in New Zealand and are registering as a teacher for the first time. (The fee for registration includes the issue of a first practising certificate for three years when it is applied for at the same time as registration.)
- A fee of \$220.80 (GST inclusive) for applicants who renew a practising certificate for three years.
- A fee of \$220.80 (GST inclusive) for applicants who are applying for registration and have been previously registered with the Teachers Council (the fee for registration includes the issue of a practising certificate for three years when this is applied for at the same time as registration).
- A fee of \$302.57 (GST inclusive) for applicants to be issued with a full practising certificate for three years (this includes a fee for a practising certificate and a fee for the consideration of full certification).
- A fee of \$50.00 (GST inclusive) for applicants who do not have a practising certificate or current limited authority to teach, and are employed in a teaching position that requires them to hold one, when the Education Council receives the application (this is additional to the cost of the practising certificate or limited authority to teach).
- A fee of \$56.22 (GST inclusive) for a Limited Authority to Teach which is issued for up to one year.
- A fee of \$112.44 (GST inclusive) for a Limited Authority to Teach which is issued for up to two years.
- A fee of \$168.66 (GST inclusive) for a Limited Authority to Teach which is issued for up to three years.

APPENDIX TWO: OPTIONS FOR FEE CHANGES

Option 1: New fees payable once every three years (unless otherwise specified)

Fee type	Existing fee (GST exclusive)	Existing fee (GST inclusive)	Proposed fee change (GST exclusive)	Proposed fee change (GST inclusive)	Legal authority to impose fee under Education Act 1989
<i>Fee for registration and issue of first practising certificate (at same time)</i>	\$192	\$220.80	N/a	N/a	s 364(1) The Education Council may, by notice in the Gazette, fix fees for registration as a teacher or for the issue of practising certificates, and different fees may be fixed
<i>Fee for registration as a teacher (NZ or Overseas including TTMRA). This will be payable only once to be put on the register.</i>	N/a	N/a	\$73.91	\$85	s 364(1) The Education Council may, by notice in the Gazette, fix fees for registration as a teacher or for the issue of practising certificates, and different fees may be fixed
<i>Fee for issuing a provisional practising certificate</i>	N/a	N/a	\$443.48	\$510	s 364(1) The Education Council may, by notice in the Gazette, fix fees for registration as a teacher or for the issue of practising certificates, and different fees may be fixed
<i>Fee for renewal of practising certificate</i>	\$192	\$220.80	\$443.48	\$510	s 364(1) The Education Council may, by notice in the Gazette, fix fees for registration as a teacher or for the issue of practising certificates, and different fees may be fixed
<i>Fee for registering and issuing first practising certificate to overseas and TTMRA applicants</i>	\$263.10	\$302.57	N/a	N/a	s 364(1)(a): The Education Council may fix fees for registration as a teacher or for the issue of practising certificates, and different fees may be fixed in respect of registration effected in different circumstances.

Fee type	Existing fee (GST exclusive)	Existing fee (GST inclusive)	Proposed fee change (GST exclusive)	Proposed fee change (GST inclusive)	Legal authority to impose fee under Education Act 1989
<i>Fee for issuing first practising certificate to overseas and TTMRA applicants</i>	N/a	N/a	\$530.43	\$610	s 364(1)(a): The Education Council may fix fees for registration as a teacher or for the issue of practising certificates, and different fees may be fixed in respect of registration effected in different circumstances.
<i>Fee for provisionally certified teachers to be issued with a full practising certificate</i>	\$263.10	\$302.57	\$530.43	\$610	s 364(1)(a): The Education Council may fix fees for registration as a teacher or for the issue of practising certificates, and different fees may be fixed in respect of registration effected in different circumstances.
<i>Fee for teachers certificated subject to confirmation to be issued with a full practising certificate</i>	\$263.10	\$302.57	\$530.43	\$610	s 364(1)(a): The Education Council may fix fees for registration as a teacher or for the issue of practising certificates, and different fees may be fixed in respect of registration effected in different circumstances.
<i>Fee for granting limited authority to teach for one year</i>	\$48.89	\$56.22	\$147.83	\$170	s 372(1): The Education Council may fix fees for the granting of limited authorities to teach.
<i>Fee for granting limited authority to teach for two years</i>	\$97.77	\$112.44	\$295.65	\$340	s 372(1): The Education Council may fix fees for the granting of limited authorities to teach.
<i>Fee for granting limited authority to teach for three years</i>	\$146.99	\$168.66	\$443.48	\$510	s 372(1): The Education Council may fix fees for the granting of limited authorities to teach.

Option 2: New fees payable annually (unless otherwise specified)

Fee type	Existing fee (GST exclusive) ⁶⁵	Existing fee (GST inclusive)	Proposed fee change (GST exclusive)	Proposed fee change (GST inclusive)	Legal authority to impose fee under Education Act 1989
<i>Fee for registration and issue of first practising certificate (at same time)</i>	\$192	\$220.80	N/a	N/a	s 364(1) The Education Council may, by notice in the Gazette, fix fees for registration as a teacher or for the issue of practising certificates, and different fees may be fixed
<i>Fee for registration as a teacher (NZ or Overseas including TTMRA). This will be payable only once to be put on the register.</i>	N/a	N/a	\$73.91	\$85	s 364(1) The Education Council may, by notice in the Gazette, fix fees for registration as a teacher or for the issue of practising certificates, and different fees may be fixed
<i>Fee for issuing a provisional practising certificate</i>	N/a	N/a	\$147.83	\$170	s 364(1) The Education Council may, by notice in the Gazette, fix fees for registration as a teacher or for the issue of practising certificates, and different fees may be fixed
<i>Fee for renewal of practising certificate</i>	\$192	\$220.80	\$147.83	\$170	s 364(1) The Education Council may, by notice in the Gazette, fix fees for registration as a teacher or for the issue of practising certificates, and different fees may be fixed
<i>Fee for registering and issuing first practising certificate to overseas and TTMRA applicants</i>	\$263.10	\$302.57	N/a	N/a	s 364(1)(a): The Education Council may fix fees for registration as a teacher or for the issue of practising certificates, and different fees may be fixed in respect of registration effected in different circumstances.

76 Existing Fees are for a three year period.

Fee type	Existing fee (GST exclusive) ⁶⁵	Existing fee (GST inclusive)	Proposed fee change (GST exclusive)	Proposed fee change (GST inclusive)	Legal authority to impose fee under Education Act 1989
<i>Fee for issuing first practising certificate to overseas and TTMRA applicants</i>	N/a	N/a	\$238.78	\$270	s 364(1)(a): The Education Council may fix fees for registration as a teacher or for the issue of practising certificates, and different fees may be fixed in respect of registration effected in different circumstances.
<i>Fee for provisionally certified teachers to be issued with a full practising certificate</i>	\$263.10	\$302.57	\$234.78	\$270	s 364(1)(a): The Education Council may fix fees for registration as a teacher or for the issue of practising certificates, and different fees may be fixed in respect of registration effected in different circumstances.
<i>Fee for teachers certificated subject to confirmation to be issued with a full practising certificate</i>	\$263.10	\$302.57	\$234.78	\$270	s 364(1)(a): The Education Council may fix fees for registration as a teacher or for the issue of practising certificates, and different fees may be fixed in respect of registration effected in different circumstances.
<i>Fee for granting limited authority to teach for one year</i>	\$48.89	\$56.22	\$147.83	\$170	s 372(1): The Education Council may fix fees for the granting of limited authorities to teach.
<i>Fee for granting limited authority to teach for two years</i>	\$97.77	\$112.44	N/a	N/a	s 372(1): The Education Council may fix fees for the granting of limited authorities to teach.
<i>Fee for granting limited authority to teach for three years</i>	\$146.99	\$168.66	N/a	N/a	s 372(1): The Education Council may fix fees for the granting of limited authorities to teach.

APPENDIX THREE: FEES (GST INCLUSIVE) CHARGED BY THE EDUCATION COUNCIL COMPARED TO OTHER NEW ZEALAND PROFESSIONAL BODIES

Professional body	Practising certificate fees	Charges for disciplinary functions	Registration fees for applicants with New Zealand qualifications	Registration fees for overseas qualified applicants	Fees for access to the register/verification information	Accreditation fees
Education Council ⁷⁷	<p>Renewed every three years:</p> <ul style="list-style-type: none"> • First practising certificate: \$220.80 • Renewal of practising certificate: \$220.80 • Full practising certificate: \$302.57 • 1 year limited authority to teach: \$56.22 • 2 year limited authority to teach: \$112.44 • 3 year limited authority to teach: \$168.66 • Late fee if an applicant is already employed in teaching position without practising certificate or limited authority to teach: \$50 	N/A	<p>Initial registration: \$220.80 (this fee includes the issue of first practising certificate)</p> <p>Applicant who has previously been registered: \$220.80 (includes the issue of practising certificate)</p> <p>Discretionary pathway: \$302 (includes the issue of first practising certificate)</p>	<p>Overseas qualifications: \$302.57</p> <p>TTMRA applicants: \$302.57</p>	N/A	Charged \$80 per hour for approval and monitoring process

⁷⁷ Education Council of Aotearoa New Zealand Fees for Registration, Practising Certificates and Limited Authorities to Teach Notice 2015.

Professional body	Practising certificate fees	Charges for disciplinary functions	Registration fees for applicants with New Zealand qualifications	Registration fees for overseas qualified applicants	Fees for access to the register/verification information	Accreditation fees
Nursing Council of New Zealand⁷⁸	Renewed annually (and interim practising certificates issued): <ul style="list-style-type: none"> • 12 months: \$110 • 3 months: \$27.50 • 6 months: \$55 • 9 months: \$82.50 	Disciplinary levy (included in practising certificate fee): <ul style="list-style-type: none"> • 12 months: \$10 • 3 months: \$2.50 • 6 months: \$5.00 • 9 months: \$7.50 	Enrolled nurse: \$75 Nurse practitioner: \$1,500 Nurse practitioner prescribing authorisation: \$1,000 Restoration of name following cancellation of registration: \$3,000 Additions to Register: \$70 Change of conditions in scope of practice: \$200	Overseas qualifications: \$650 TTMRA applicants: \$340	Inspection of the register: \$70 Replacement registration practising certificate: \$70 Verification of education programme: \$70 Verification of New Zealand registration: \$70	Accreditation and monitoring audit of: <ul style="list-style-type: none"> • Nurse entry to practice programme: \$2,780 • Post-graduate nursing programme: \$13,900; • Programme leading to registration as a registered nurse: \$13,900 • Enrolled nurse programme: \$8,700 • Competence assessment programme: \$70

78 Nurses (Fees) Notice 1 July 2015.

Professional body	Practising certificate fees	Charges for disciplinary functions	Registration fees for applicants with New Zealand qualifications	Registration fees for overseas qualified applicants	Fees for access to the register/verification information	Accreditation fees
Midwifery Council ⁷⁹	<p>Renewed annually (and interim practising certificates issued)</p> <p>First practising certificate for New Zealand graduate:</p> <ul style="list-style-type: none"> • 12 months: \$200 • 9 months: \$150 • 6 months: \$100 • 3 months: \$50 <p>Subsequent practising certificates:</p> <ul style="list-style-type: none"> • 12 months: \$350 • 9 months: \$262.50 • 6 months: \$175 • 3 months: \$87.50 <p>Late renewal fee: \$200</p>	Disciplinary levy payable annually in addition to practising certificate: \$50	\$300	<p>Overseas registration: \$1,000</p> <p>TTMRA applicants: \$500</p>	<p>Copy of the register: \$50</p> <p>Replacement practising certificate card: \$25</p> <p>Supply of documents required by midwife seeking registration overseas: \$100</p> <p>For issue of any other certificate or copy: \$70</p>	<p>Full audit/monitoring of undergraduate programme: \$10,000 (maximum)</p> <p>Approval and accreditation of educational institution and pre-registration midwifery programme: \$28,125 (maximum)</p>
Social Workers Registration Board ⁸⁰	Renewed annually: \$368	Disciplinary levy currently set at zero ⁸¹	\$345	<p>Overseas applicants: \$345</p> <p>Non-binding assessment of qualification: \$300</p>	<p>Replacement practising certificate identification cards: \$20</p> <p>Copies of certificates or entries, or for supplying documents for overseas registration purposes: \$46</p>	N/A

79 Midwifery (Fees) Notice 2014.

80 Social Workers Registration Board (Fees and Disciplinary Levy) Notice 2016.

81 Previously set at \$56.25 between 2004 and 2005, and \$90 between 2005 and 2010.

Professional body	Practising certificate fees	Charges for disciplinary functions	Registration fees for applicants with New Zealand qualifications	Registration fees for overseas qualified applicants	Fees for access to the register/verification information	Accreditation fees
Occupational Therapy Board of New Zealand⁸²	<p>Renewed annually: \$558</p> <p>Practising certificate valid for a limited period of up to three months: \$165</p> <p>Annual register maintenance fee for non-practising occupational therapists intending to return to practice in New Zealand in future: \$57</p>	N/A	<p>Application for registration: \$322</p> <p>Reapplication if name removed from register: \$322</p> <p>Evaluation of competence for a scope of practice for first time applicants: \$184</p> <p>Evaluation of competence for a scope of practice for applicants previously registered in New Zealand: \$59</p> <p>Application for changes to, or removal of, conditions on scope of practice: \$59</p>	<p>Overseas graduate: \$690</p> <p>TTMRA applicants: \$322</p>	<p>Copy of register entries: \$115</p> <p>Supplying certificate of registration or other certificate: \$69</p> <p>Replacement practising certificate: \$23</p> <p>Certificate of good standing/ verification of registration: \$69</p> <p>Supplying documents for overseas registration: \$69</p> <p>Updating details for therapists who have not paid register maintenance fee: \$34</p>	<p>Accreditation and monitoring of educational institutions and degrees, courses of study, or programmes: \$25,555.30 (maximum)</p>

82 Occupational Therapy Board of New Zealand (Fees) Notice 2015.

Professional body	Practising certificate fees	Charges for disciplinary functions	Registration fees for applicants with New Zealand qualifications	Registration fees for overseas qualified applicants	Fees for access to the register/verification information	Accreditation fees
New Zealand Psychologists Board⁸³	<p>Renewed annually</p> <p>Application by new graduate for first practising certificate: \$399</p> <p>Application to renew a current practising certificate for the subsequent financial year: \$479</p> <p>Application for a new practising certificate for:</p> <ul style="list-style-type: none"> • 12 months or less: \$553 • 3 months or less: \$142.50 • 1 month or less: \$69.50 <p>Application to return to practice from practitioner who has not held a practising certificate within the 3 years immediately preceding the date of the application: \$230</p> <p>Annual maintenance of registration and communication for non-practising registrants: \$48</p>	<p>Disciplinary levy (included in practising certificate):</p> <ul style="list-style-type: none"> • 12 months: \$176 • 3 month: \$44.00 • 1 month: \$15.00 	<p>Application for registration: \$185</p> <p>Application for a vocational scope of practice: \$412</p> <p>Application to be restored to the register: \$90</p>	<p>Application for registration by practitioner trained overseas in a prescribed country: \$595</p> <p>Application for registration by practitioner trained overseas in a non-prescribed country: \$850</p> <p>Application for registration through the TTMRA: \$190</p> <p>Application for a vocational scope of practice by practitioner trained in prescribed country: \$412</p> <p>Application for a vocational scope of practice by practitioner trained in a non-prescribed country: \$553</p> <p>Application for the board to review a delegates decision: \$300</p>	<p>Inspection of register or other records: \$220</p> <p>Copy of register: \$105</p> <p>Certificate of registration: \$98.50</p> <p>Replacement of a printed practising certificate \$47.50</p> <p>Supply of documents required for purpose of seeking registration overseas: \$143.50</p>	<p>Accreditation review of degree, course of study, or programme leading to registration as a psychologist in New Zealand: \$12,170</p>

83 Psychologists (Fees) Notice 2017.

Professional body	Practising certificate fees	Charges for disciplinary functions	Registration fees for applicants with New Zealand qualifications	Registration fees for overseas qualified applicants	Fees for access to the register/verification information	Accreditation fees
Physiotherapy Board⁸⁴	<p>Annual Practising Certificate \$477.23</p> <p>Late payment of practising certificate fee: \$210</p> <p>Interim practising certificate \$477.23</p> <p>Maintenance of entry on register while not holding a practising certificate: \$48.30</p>	<p>Disciplinary levy for 12 months (included in practising certificate): \$155.92</p>	<p>Application for registration: \$230</p> <p>Application for registration by postgraduate student: \$230</p> <p>Application for registration as a physiotherapy specialist:</p> <ul style="list-style-type: none"> • Assessment, Part 1: \$1,600.50 • Assessment, Part 2: \$1,622.50. <p>Restoration of entries in register: \$198.40</p> <p>Application to change a scope of practice: \$46</p> <p>Review of a decision to decline change of scope of practice: \$138</p>	<p>Application for registration by overseas graduate: \$1,532.50</p> <p>Application for registration through TTMRA: \$230</p> <p>Application for registration by visiting educator/presenter: \$230</p>	<p>Inspection of the register and documents: \$46</p> <p>Supplying a copy of any register entry: \$46</p> <p>Amending the register (excluding name and address changes): \$46</p> <p>Supplying documents required for registration overseas: \$57.50</p> <p>Issue of any other certificates: \$57.50</p>	<p>Information not available online</p>

84 Physiotherapy Board (Fees) Notice 2017.

Professional body	Practising certificate fees	Charges for disciplinary functions	Registration fees for applicants with New Zealand qualifications	Registration fees for overseas qualified applicants	Fees for access to the register/verification information	Accreditation fees
Dental Council⁸⁵	<p>Dentists and dental specialists:</p> <ul style="list-style-type: none"> Annual practising certificate: \$834.06 Late processing fee: \$45 <p>Dental hygienists and orthodontic auxiliaries:</p> <ul style="list-style-type: none"> Annual practising certificate: \$743.91 Late processing fee: \$45 <p>Dental therapists:</p> <ul style="list-style-type: none"> Annual practising certificate: \$799.77 Late processing fee: \$45 <p>Clinical dental technicians and dental technicians:</p> <ul style="list-style-type: none"> Annual practising certificate \$606.58 Late processing fee: \$45 	<p>Dentists: Disciplinary levy (payable in addition to annual practising certificate): \$166.20</p> <p>Dental hygienists/orthodontic auxiliaries (disciplinary levy credited to annual practising certificate): \$49.41</p> <p>Dental therapists (disciplinary levy credited to annual practising certificate): \$53.21</p> <p>Clinical dental technicians and dental technicians (disciplinary levy credited to annual practising certificate): \$30.76</p>	<p>Dentists application for registration: \$524.95</p> <p>Dental hygienists/orthodontic auxiliaries application for registration: \$524.95</p> <p>Dental therapists application for registration: \$524.95</p> <p>Dental technician and clinical technician: \$524.95</p> <p>Application for additional registration advice: \$524.95</p>	<p>Overseas applicants with prescribed qualification:</p> <ul style="list-style-type: none"> Assessment of eligibility to be registered: \$787.44 Application for registration: \$524.95 <p>Applicants with non-prescribed qualification:</p> <ul style="list-style-type: none"> Application for assessment of eligibility to be registered: \$3,436.40 Application for registration: \$524.95 Resubmission of application for assessment of eligibility: \$3,083 	<p>Supply of electronic copy of register: \$230</p> <p>Replacement of registration certificate or any other certificate: \$104.98</p> <p>Certificate of good standing: \$104.98</p>	<p>Application for “removal of exclusion” course approval by providers who provide training as part of a primary Dental Council accredited qualification: \$1,997.32</p> <p>Application for “removal of exclusion” course approval by providers who do not provide training as part of a primary Dental Council accredited qualification: \$4,327.62</p>

85 Oral Health Practitioners (Fees) Notice (No 2).

Professional body	Practising certificate fees	Charges for disciplinary functions	Registration fees for applicants with New Zealand qualifications	Registration fees for overseas qualified applicants	Fees for access to the register/verification information	Accreditation fees
Medical Council of New Zealand⁸⁶	Annual practising certificate fee: \$757.60 Application to vary existing practising certificate: \$215.03	Disciplinary levy (included in annual practising certificate fee): \$139.10	Application for provisional general registration: \$215.03 Restoration of registration: \$215.03	Application for provisional general registration by Australian graduate: \$215.03 Application for provisional general registration graduate from comparable health system: \$1,075.15	Register for 12 months on disk or sent by email: \$330.75 Register for 12 months downloaded from the Council's website: \$122.51 Register data requests (per hour): \$122.51 Certificate of registration: \$142.69 Application for certificate of good standing: \$142.69	Accreditation of training provider: \$16,660.45
New Zealand Law Society⁸⁷	Annual practising certificate: \$1,370.80	Legal Complaints Review Office Levy: \$143.75 Barristers and solicitors practising on their own account also pay: Lawyers Fidelity Fund Contribution: \$368 Inspectorate fee (if they have a trust account): \$442.75	N/A	N/A	Not specified	N/A The New Zealand Council of Legal Education does, however, have the power to charge fees as determined by the Council for the accreditation of providers of professional legal studies courses (as well as for monitoring/renewal of accreditation) under the Professional Legal Studies Course Accreditation Regulations 2006 (reg 9.2).

⁸⁶ Fees Payable to the Medical Council of New Zealand from 1 September 2015.

⁸⁷ New Zealand Law Society "Fees for 1 July 2016 to 30 June 2017" New Zealand Law Society <www.lawsociety.org.nz> (accessed 24 August 2016).

Professional body	Practising certificate fees	Charges for disciplinary functions	Registration fees for applicants with New Zealand qualifications	Registration fees for overseas qualified applicants	Fees for access to the register/verification information	Accreditation fees
Chartered Accountants Australia and New Zealand⁸⁸	<p>Annual membership fees for full membership:</p> <ul style="list-style-type: none"> Chartered Accountant: \$718.75 Associate Chartered Accountant: \$571.55 Accounting Technician: \$244 <p>Annual membership fees for provisional membership:</p> <p>Chartered Accountant: \$312</p> <ul style="list-style-type: none"> Associate Chartered Accountant: \$312 Accounting Technician: \$280.60 <p>Annual Certificate of Public Practice: \$1,330.55</p>	Not specified	<p>Application for membership as a Chartered Accountant: \$685</p> <p>Application for membership as an Associate Chartered Accountant: \$263</p> <p>Application for Certificate of Public Practice: \$525</p> <p>Admissions appeal: \$572</p>	Assessment of overseas qualifications: \$422.60	<p>Replacement certificate: \$100</p> <p>Document retrieval: \$100</p>	Information not available online

88 Chartered Accountants Australia and New Zealand "Application forms and fees" Chartered Accountants Australia and New Zealand <www.nzica.com> (accessed 24 August 2016).

Professional body	Practising certificate fees	Charges for disciplinary functions	Registration fees for applicants with New Zealand qualifications	Registration fees for overseas qualified applicants	Fees for access to the register/verification information	Accreditation fees
Institute of Professional Engineers⁸⁹	Annual registration: <ul style="list-style-type: none"> • Chartered Professional Engineer: \$460 • International Professional Engineer: \$60 • International Engineering Technology Practitioner: \$60 • Engineering Technology Practitioner: \$236 • Certified Engineering Technician: \$236 • Professional Engineering Geologist: \$236 	Not specified	Initial Competence Assessment: \$1,565	Initial Competence Assessment via TTMRA: \$1215	Not specified	Information not available online

⁸⁹ Institute of Professional Engineers "Price List" Institute of Professional Engineers <www.ipenz.nz> (accessed 1 March 2016).

APPENDIX FOUR: TEMPLATE SUBMISSION FORM

Introduction

The Education Council is inviting feedback on its proposal to make changes to the fees paid by all teachers with practising certificates, or a Limited Authority to Teach, under the Education Act 1989. These changes would apply to all registered teachers working in early childhood, primary and secondary schools, and in English or Māori medium settings.

We appreciate the topic of increased fees may be a sensitive subject and we welcome any feedback. Please keep your comments as constructive and polite as possible – we want to run a very open, respectful process.

You do not have to answer all the questions, but the more feedback you share, the better informed we will be of your views.

To be sure your views on the proposals are clearly understood, please explain the reasons for your views as fully as you can, and feel free to add any supporting material to your feedback, too.

Please provide your feedback on the proposed fee changes to reach the Education Council by or before **5pm on Friday 5 May 2017**. You can engage in the consultation in a number of ways:

- On the below submission template
- By email to feesconsultation@educationcouncil.org.nz
- Online survey at <https://www.surveymonkey.com/r/feessurvey>

Before beginning, we need to capture some brief personal details (these will be kept confidential and will only be used to confirm the validity of the results). The questions with an asterisk are compulsory, the others are not.

Contact Information

Full Name*			
Organisation or education provider (if relevant)			
Phone/mobile number			
Email address*			
Submitter type*	<input type="checkbox"/> Individual	<input type="checkbox"/> ECE	<input type="checkbox"/> Teacher
	<input type="checkbox"/> NGO	<input type="checkbox"/> Primary	<input type="checkbox"/> Principal
	<input type="checkbox"/> Union	<input type="checkbox"/> Secondary	<input type="checkbox"/> Other leader
	<input type="checkbox"/> Other (please specify)	<input type="checkbox"/> Tertiary	<input type="checkbox"/> Limited Authority to Teach

* Mandatory fields

Releasing submissions

From time to time we use excerpts from feedback we've received on our website to help tell a story about our ongoing engagement with the profession and our other stakeholders. We hope you are happy for us to use your submission as part of this activity.

If you do not want your submission used in this way, simply check this box below to confirm you want your submission comments withheld from any summaries. Thanks.

I do not wish my responses to be included in any published excerpts.

Proposed changes – general feedback

- (1) What are your views on the proposal to introduce a separate registration fee of \$85 to register as a teacher (payable on initial registration as a teacher)?

strongly disagree disagree neither agree nor disagree
 agree strongly agree

PLEASE ADD YOUR COMMENTS:

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- (2) Do you think that the fee payable for obtaining a practising certificate should be paid every year or once every three years?

Every year – please give us more details in the comments section below
 Every three years – please give us more details in the comments section below
 Other – please give us more details in the comments section below

YOUR COMMENTS:

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* All figures quoted are inclusive of GST.

Proposed changes – practising certificates

- (3) What are your views on the Education Council’s proposals to change the fee for issuing a practising certificate from **\$220.80 paid every three years to \$170 every year?**

strongly disagree disagree neither agree nor disagree
 agree strongly agree

PLEASE ADD YOUR COMMENTS:

- (4) What are your views on the Education Council’s proposals to change the fee for issuing a practising certificate from **\$220.80 to \$510 paid every three years?**

strongly disagree disagree neither agree nor disagree
 agree strongly agree

PLEASE ADD YOUR COMMENTS:

Proposed changes – moving to a full practising certificate

- (5) What are your views on the Education Council’s proposals to change the fee for issuing teachers moving from a provisional or ‘subject to confirmation’ certificate to a full practising certificate from **\$302.57 for three years to \$270 for one year?**

strongly disagree disagree neither agree nor disagree
 agree strongly agree

PLEASE ADD YOUR COMMENTS:

* All figures quoted are inclusive of GST.

- (6) What are your views on the Education Council's proposals to change the fee for issuing teachers moving from a provisional or 'subject to confirmation' certificate to a full practising certificate from **\$302.57 to \$610 for three years?**

strongly disagree disagree neither agree nor disagree
 agree strongly agree

PLEASE ADD YOUR COMMENTS:

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Proposed changes – Trans-Tasman Mutual Recognition Arrangement

- (7) What are your views on the Education Council's proposals to increase the fee for issuing practising certificates to overseas and TTMRA (Trans-Tasman Mutual Recognition Arrangement) teachers from **\$302.57 for three years to \$270 for one year?**

strongly disagree disagree neither agree nor disagree
 agree strongly agree

PLEASE ADD YOUR COMMENTS:

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- (8) What are your views on the Education Council's proposals to increase the fee for issuing practising certificates to overseas and TTMRA (Trans-Tasman Mutual Recognition Arrangement) teachers from **\$302.57 to \$610 for three years?**

strongly disagree disagree neither agree nor disagree
 agree strongly agree

PLEASE ADD YOUR COMMENTS:

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* All figures quoted are inclusive of GST.

Proposed changes – Limited Authority to Teach

(9) What are your views about the Education Council’s proposal to increase the fee for issuing a one-year Limited Authority to Teach from **\$56.22 to \$170 for one year?**

- strongly disagree disagree neither agree nor disagree
 agree strongly agree

PLEASE ADD YOUR COMMENTS:

(10) What are your views about the Education Council’s proposal to increase the fee for issuing a Limited Authority to Teach from **\$112.44 to \$340 for two years?**

- strongly disagree disagree neither agree nor disagree
 agree strongly agree

PLEASE ADD YOUR COMMENTS:

(11) What are your views about the Education Council’s proposal to increase the fee for issuing a Limited Authority to Teach from **\$168.66 to \$510 for three years?**

- strongly disagree disagree neither agree nor disagree
 agree strongly agree

PLEASE ADD YOUR COMMENTS:

* All figures quoted are inclusive of GST.

Proposed changes – additional general feedback

(12) What are your views on the Education Council’s proposals to regularly review fees and adjust them for the impacts of inflation as required?

- strongly disagree disagree neither agree nor disagree
 agree strongly agree

PLEASE ADD YOUR COMMENTS:

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(13) What are your views on the Education Council’s proposals to increase the fee for lodging an application for a practising certificate after an existing certificate has expired (and the applicant is in a teaching position) from **\$50 to \$100**?

- strongly disagree disagree neither agree nor disagree
 agree strongly agree

PLEASE ADD YOUR COMMENTS:

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(14) We are not proposing to charge a separate discipline fee. Instead we are proposing to incorporate our costs for conduct and competence into the increased practising certificate fees of \$170 per annum or \$510 every three years. What do you think?

- strongly disagree disagree neither agree nor disagree
 agree strongly agree

PLEASE ADD YOUR COMMENTS:

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Closing comments

- (15) Please share with us any views you have on alternative ways for the Education Council to fund itself so that it can perform its statutory functions, apart from the proposed fee changes?

YOUR COMMENTS:

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- (16) Please share with us any other comments you have about the Education Council's proposed fee changes?

YOUR COMMENTS:

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Thank you for taking the time to share your thoughts and feedback with us. We really do appreciate it.

The survey will remain open until **5pm on Friday 5 May 2017**.

Please encourage others you work with to take a moment to share their feedback and suggestions with us.

Thank you once again.

We will continue to work closely with you and invite your feedback along the way.