

TEACHING COUNCIL

NEW ZEALAND | Matatū Aotearoa

5 December 2018

Tēnā Koe Ms

Response to two requests under the Official Information Act 1982 (the Act)

Thank you for your request under the Official Information Act 1982. You asked:

- *How many fines have been issued to employers for failing to mandatorily report possible teacher serious misconduct under s396 Education Act - <http://www.legislation.govt.nz/act/public/1989/0080/latest/DLM6526336.html>?*
- *How many investigations have been conducted under s396 of Education Act?*
- *If there have been any investigations or fines, what was the nature and outcome of each investigation or fine?*

There have been no investigations or prosecutions under s 396 of the Education Act.

Accordingly, no one has been convicted under s 396, and no fines have been ordered under this section of the Act

There has been one disciplinary matter where the Disciplinary Tribunal considered whether a failure to make a report amounted to serious misconduct, but that arose from a conduct investigation rather than an investigation under s 396.

I hope that this information is sufficient for your purposes. However, you have the right to seek an investigation and review of this response by the Ombudsman who can be contacted by writing to: The Ombudsman, PO Box 10152, Wellington 6143, or emailing: info@ombudsman.parliament.nz. A complaint to the Ombudsman can also be made online at <http://www.ombudsman.parliament.nz/make-a-complaint/make-a-complaint-now>

Nāku noa, nā



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