

# Briefing to the Incoming Minister

September 2014

*Ū ki te ako, tū tāngata ai āpōpō*

*Excel in teaching so our learners will excel in the future*



New Zealand  
Teachers Council

*Te Pouherenga Kaiako o Aotearoa*





## Contents

Introduction .....	3
Current Priorities.....	4
Outcomes Framework .....	4
Transition Issues.....	8
Operational matters.....	9
International links .....	9
APPENDIX 1 .....	10
APPENDIX 2 .....	11
APPENDIX 3 .....	13
APPENDIX 4 .....	14

## Introduction

The New Zealand Teachers Council/*Te Pouherenga Kaiako o Aotearoa* (the Council) is the professional body for registered teachers. Its key function is to support a high quality teaching profession that assists learners to achieve excellent educational outcomes. Through its processes the Council seeks to ensure registered teachers are trained and qualified, appropriately inducted into the profession, are regularly appraised and continue to grow professionally. The Council also deals with complaints against registered teachers and others authorised by the Council to teach.

On the 13 March 2014, the Minister of Education introduced legislation proposing a new professional body, the *Education Council of Aotearoa New Zealand (EDUCANZ)*, to replace the current Council. Prior to Parliament rising on 31 July, the Bill progressed through the select committee and was tabled in the House. The current Council will continue to fulfil all of the functions and powers mandated under the Education Act (1987) until the final outcome of the Education Amendment Bill (No. 2) is reached.

As a result, the Council continues to be focused on delivering its core functions - the approval and monitoring of initial teacher education, entry to the profession, promotion of high professional standards and the registration and professional development of teachers. In addition it is working closely with the Transition Board charged with overseeing the establishment of the new professional body to ensure a smooth transition if and when the legislation is passed.

The Council developed this Briefing to the Incoming Minister (BIM) in September 2014. It is one of several BIMs from education sector agencies who have worked to co-ordinate their BIMs so that they provide a coherent and complete overview of the education system in New Zealand.

## Current Priorities

The outcomes framework from the Council’s 2014-18 Statement of Intent is set out in Figure 1. This shows the key strategic priorities of the Council as they relate to broader sector outcomes falling into four broad areas.

Figure 1: OUTCOMES FRAMEWORK

### Quality Education for Successful New Zealanders



## **Preparing beginning teachers**

High quality initial teacher education is critical preparation for a successful teaching career. The Council has established the *Graduating Teacher Standards* and approves and reviews all initial teacher education programmes. Since 2013 the Council has been working to approve a number of exemplary postgraduate initial teacher education (ITE) programmes, in conjunction with the Committee on University Academic Programmes (CUAP).

Following the Council's research on the levels of Te Reo Māori proficiency required by teachers in Māori medium settings, the Council is piloting a draft framework that identifies Te Reo Māori proficiency criteria required of graduates from Māori medium ITE programmes. Four providers are piloting the draft framework. The Council proposes to extend professional development to all providers in 2015 with full implementation of the framework in 2016.

In response to concerns about the curriculum knowledge of graduating teachers in the primary sector, the Council has recently begun a review of qualifications for entry to one-year primary and early childhood education (ECE) ITE programmes. It is also reviewing what graduates need to know to successfully teach the primary and ECE curricula.

While candidates under the age of 20 years of age must have University Entrance to enter undergraduate ITE programmes, this is not the case for candidates over the age of twenty. The Council is about to begin consultation on whether the academic entry requirements for undergraduate initial teacher education programmes should be strengthened for those candidates over the age of twenty.

## **Supporting entry to the profession**

It is very important that beginning teachers are well supported as they move towards full entry into the profession. The Council developed the *Guidelines for Induction and Mentoring and Mentor Teachers* which was released in 2011. The Council has provided and will continue to provide workshops to support the use of the *Guidelines* in all settings and *Te Hāpai Ō* in Māori medium settings.

Some graduates from initial teacher education programmes never satisfy the requirements to attain full registration, but they continue to work as provisionally registered teachers. In 2013, the Council developed the Teacher Education Refresh (TER) programme. The Registration Policy (published in January 2012) states that from January 2015 teachers who have not gained full registration after being provisionally registered for six years and those who are applying for registration for the first time, and who have a teaching qualification that is more than six years old, will be required to undertake a refresher programme. This will:

- ensure the professional knowledge and practice of teachers who have had limited teaching experience, and who have been provisionally registered for six years, is up to date; and
- establish the expectation that provisional registration is for a limited period during which time teachers are expected to participate in induction and mentoring and meet the Registered Teacher Criteria to gain full registration.

Since July 2014, TER programmes have been offered nationally by three approved providers: The University of Auckland, Te Tari Puna Ora and The University of Waikato.

## **Supporting Experienced Teachers**

Following extensive consultation with the profession in 2008-10, the Council introduced the *Registered Teacher Criteria* (RTCs) to provide assurance that registered teachers met measurable and specific standards of practice. Teachers must be assessed by their professional leader as being competent against all twelve RTCs when attaining full registration, and when seeking renewal of their practising certificate.

Available evidence suggests that the sector is aware of the RTCs, accepts them, and is using them to support professional development.

The Council has been emphasising the importance of teacher appraisal within the registration cycle. Particular attention has been paid to using the *Registered Teacher Criteria* and the cultural framework, *Tātaiako*, to identify strengths and weaknesses.

Over the past eighteen months the Council has run appraisal workshops for 1,400 professional leaders. These workshops have aimed to build consistent, formal appraisal systems that are evidence-based. These workshops have produced very positive feedback.

The Council is now providing a second round of appraisal workshops aimed at teachers, to help them understand how to gather and use appropriate evidence for appraisal. Accompanying resources are posted on the Council's website. The Council will continue to evaluate the impact of this work as part of the *Appraisal of Teachers* professional learning project.

The Council has commented on the criteria to be used for selection of teachers and principals for the *Investing in Education Success* initiative. It expects to have further input when the core competencies for the roles are established. The Council has emphasised the importance of strong links with the *Registered Teacher Criteria* to avoid a further proliferation of different professional standards in the sector.

## **Maintaining an accurate online register**

Teacher registration is one of the main ways employers, learners, family/whānau and the wider community can be assured that a teacher is qualified, safe and competent. There are approximately 103,000 registered teachers in New Zealand with a current practising certificate and the online register makes public these teachers' registration status and fitness to practise. It shows the registration category of a teacher and when necessary, cancellation or conditions imposed through the conduct and competence processes.

The Council's website features clear and concise information about how a teacher gains and maintains registration, the standards required for registration, policies, and application process information.

The Council deals with over 35,000 applications for practising certificates each year. The Council is currently in its triennial peak load for practising certificate applications. This means the processing of up to 15,000 applications between September and December this year. In recent peak years (2005, 2008, and 2011) Council processes have proven able to cope with such volumes of transaction efficiently and effectively and we expect this to be the case again this year. Over recent years, the Council has been able to consistently maintain a rate of almost 90% of all applications processed within 20 days, with 93% of phone calls answered in 30 seconds, and all emails responded to within a 24 hour period. A more comprehensive breakdown of 2013-14 numbers for the Council's registration processes is included in [Appendix 1](#).

The Council receives fortnightly reports which match its data with payroll for around 56,000 records. The Council monitors those who are teaching unlawfully and writes to remind them of their legal requirements. Registration Officers follow up with teachers who have applications pending to ensure that extensions are issued or the required documents are supplied so that the applications can be approved.

Section 124B of the Education Act 1989 requires the Council to obtain a police vet prior to issuing a practising certificate or Limited Authority to Teach. The Council has previously made a submission on the *Cost Recovery for Certain Police Services* Discussion Paper arguing against full cost recovery for Police vetting of teachers because of the broader public benefit such vetting provides.

### **Ensuring only those meeting high standards remain in the teaching profession**

The core processes for dealing with concerns and complaints about teacher conduct and competence have continued to develop in recent years. The number of teachers referred to the Council for conduct issues totaled around 400 in the 2013-14 year. There were 55 teachers who were referred to the Disciplinary Tribunal. The number of investigations for competence reasons was just under 100.

The total volume of conduct and competence cases has risen in recent years. In 2010 and 2011, the Council dealt with 315 and 352 conduct cases respectively. This increase reflects a growing awareness of both the importance for professional leaders to deal effectively with conduct and competence issues, and a greater familiarity with Council processes. [Appendix 2](#) includes a more detailed description of numbers and outcomes of these processes.

The Council has revised its Conduct Rules to enable Disciplinary Tribunal hearings to be open to the public, while also ensuring suitable protection for vulnerable witnesses. This requires a fine balance between being appropriately open and transparent with the public, protecting the innocent parties and ensuring that the principles of natural justice are upheld.

The Council has revised its website to make the processes around conduct and competence much more accessible for teachers, professional leaders, employers and the public. A new publication, the *Conduct and Competence Process Guide*, has been published and distributed to teachers, professional leaders and employers. Like the website, it explains the reporting requirements for conduct and competence matters, along with the subsequent investigation and decision making processes.

The Council is part of a cross-sector Children's Action Plan Workforce Advisory Group (WAG) providing advice related to the development and implementation of the workforce initiatives outlined in the Children's Action Plan. As part of this it is assessing the implications of the vetting and screening guidelines in the Vulnerable Children Act.

## **Transition Issues**

As noted above the Council is working closely with the Transition Board and its staff to ensure a smooth transition to the new professional body if and when this occurs. Current planning provides for all Council staff (except for the Director) to transfer to the new Council which will provide continuity of operations. Issues of particular importance at this time include the following.

### **Continuation of conduct and competence processes**

The Council's conduct and competence processes have a large number of people sitting on assessment panels and Disciplinary Tribunals. These people have developed significant knowledge of their roles and experience in carrying them out. It would be a risk to the new Council if this body of expertise was to dissipate during the transition phase. With this in mind the Council has extended membership of current panel and Tribunal members until the end of 2015. This will allow current processes to continue to operate while the new Council gets established and determines how it wants to proceed in this area in the future.

### **Separation of registration and practising certificate processes**

The new legislation envisages a separation between registration and practising certificates with registration to be granted in perpetuity. Decisions will be required on what the criteria and processes for registration should be, and how current rules for registration might be applied or adapted for the issuing of practising certificates.

Once decisions are made on how registration and practising certificate approval processes will work, and the criteria to be applied to each, there will need to be adjustments made to systems and processes. There is likely to be a significant amount of work involved in this area.

### **Role Clarity**

There is also some confusion in the sector about the status and role of the current Council with that of the Transition Board, with some people wrongly assuming that the Transition Board has now picked up the responsibilities of the Council. Council communications with the sector will continue to explain their respective roles and emphasise that the current Council continues to exercise all the powers allocated to it under the Education Act.

## Operational matters

### Council elections

The terms of elected members of the Council expired on 30 September 2014. This meant that the Council was required to undertake elections, though the terms of the elected members may be quite short. Nominations closed on 4 August 2014 with a good field of candidates for each constituency (37 Candidates in all, 11 ECE, 10 Primary, 13 Secondary and 3 Principal). Voting opened on 3 September 2014 and closed at 12 noon on 3 October 2014. A full list of current Council members, including those newly elected, and their terms is included in [Appendix 3](#).

### Financial Position

The Council ran an operating deficit of \$576,147 in the 2013-14 financial year and is projecting deficits in future years. This reflects the fact that registration fees have not risen since 2010 and ongoing costs have increased, partly from the growing volume of cases progressing through conduct and competency processes. It is not expected that this growth in costs will reverse so higher levels of expenditure are expected to continue in the future. The Council has substantial reserves so is able to sustain its operations in the immediate future. However this situation does signal the need for an increase in fees at some point.

A full description of the Council's finances is included in [Appendix 4](#).

### International links

Teaching is a global profession. Building on its growing relationship with other international teaching authorities, the Council continues to benchmark its practice internationally to promote and maintain the highest professional standards possible. In particular, it has maintained regular meetings with Australian teacher registration and accreditation authorities to support the easy movement of teachers between the two countries under the Trans-Tasman Mutual Recognition Agreement. The Council is also working with other education agencies to streamline the recognition and transition for suitably qualified international teacher applicants seeking employment in New Zealand.

The Council continues to respond to a wide range of requests from overseas jurisdictions for information and advice on how its core processes operate.

## APPENDIX 1

### TEACHER REGISTRATION NUMBERS FOR THE PERIOD ENDED 30 JUNE 2014

Applications approved by category	Applications	Timeliness (% within 20 working days)
Application for Registration	12,387	76.36%*
Renewal	24,615	92.11%
Provisional/STC to Full	4,499	99.05%
Limited Authority to Teach**	829	73.93%

\* This figure includes applications from those with overseas teacher education qualifications.

\*\**Limited Authority to Teach* applications are authorisations to employ someone in a teaching position who is not a trained or qualified teacher. Such applications need to be requested by a professional leader who demonstrates that there is not a suitably trained and qualified teacher who can be employed in the specific teaching role for a specific time period.

### NUMBERS OF TEACHERS WITH A CURRENT PRACTISING CERTIFICATE AS AT 30 JUNE 2014

Registration Category	Number
Full	73,345
Provisional	19,309
Subject to Confirmation	10,180

There were also 946 people employed in teaching positions on a Limited Authority to Teach.

## APPENDIX 2

### STATISTICS FOR THE NUMBERS OF TEACHERS INVESTIGATED FOR ISSUES OF CONDUCT OR COMPETENCE DURING PERIOD ENDED 30 JUNE 2014

The Council has well-established processes to manage complaints about teachers.

Conduct complaints are dealt with by five Complaints Assessment Committee (CAC) panels and the Disciplinary Tribunal. The Impairment Committee provides advice where issues of physical or mental impairment may be a contributing factor to conduct concerns. The CAC panels and Disciplinary Tribunal make decisions independent of the Council.

Any complaint about the conduct of a teacher is received by the Complaints Assessment Committee (CAC). They are able to:

- (a) dismiss the matter, or resolve to take it no further:
- (b) refer the teacher concerned to a competency review:
- (c) refer the teacher concerned to an impairment process which may involve either or both of the following:
  - (i) assessment of an impairment:
  - (ii) assistance with an impairment:
- (d) by agreement with the teacher and the person who made the complaint or report, do any of the following:
  - (i) censure the teacher:
  - (ii) impose conditions on the teacher's practising certificate or authority, such as (without limitation) requiring the teacher to undergo supervision or professional development:
  - (iii) suspend the teacher's practising certificate or authority for a specified period, or until specified conditions are met:
  - (iv) annotate the register or the list of authorised persons in a specified manner.
- (3) The Complaints Assessment Committee may, at any time, refer a matter to the Disciplinary Tribunal for a hearing.

Issues of competence are dealt with by competence assessors who make recommendations to the Council for a decision. The Council maintains a Competence Advisory Group comprising experienced professionals to provide recommendations on competence issues.

Statistics on conduct and competence processes in the 2013-14 financial year are as follows.

<b>2013-14 Financial Year</b>	<b>ACTUAL</b>
<b>Quality</b>	
• Percentage of conduct cases resolved	110.1%
• Teachers with active conditions placed on their practising certificates who fully meet all of those conditions	87%
• Number of successful appeals by teachers to the District Court and number of successful complaints by teachers to the Ombudsman	1
<b>Quantity</b>	
• Number of teachers that are referred to the CAC	396
• Number of CAC outcomes	436
• Number of teachers that are referred to the Council's Competence Assessors	90
• Number of competence outcomes	69
• Number of teachers that are referred to the Disciplinary Tribunal	55
• Number of Disciplinary Tribunal decisions reached	68
<b>Timeliness</b>	
• The percentage of outcomes reached by the CAC in the reporting period that occurred within six months of the Council receiving the mandatory report or complaint	67%
• The percentage of competence case outcomes reached in the reporting period that occurred within six months of the Council receiving the mandatory report or complaint or the case being transferred from the CAC	3%
• The average length of time between referral to the Disciplinary Tribunal and the decision date of the Disciplinary Tribunal decisions made in the reporting period, in months.	7.2

## APPENDIX 3

### MEMBERSHIP OF THE COUNCIL AS AT 6 OCTOBER 2014

<b>Council member</b>	<b>Type of Appointment</b>	<b>Term Expires</b>
Alison McAlpine (Chair)	Ministerial	30 October 2015
Evelyn Tobin	Ministerial	30 October 2015
Peter Ferris	Ministerial	30 October 2015
Karen Sewell	Ministerial	25 March 2017
Louise Green	NZEI representative	31 December 2014
Jan Torrey	PPTA representative	13 May 2017
Malcolm Jones	NZSTA representative	31 January 2017
Pat Newman	Elected Principals representative	30 September 2017
David Spraggs	Elected Early Childhood representative	30 September 2017
Sally Ormandy	Elected Primary representative	30 September 2017
Claire Amos	Elected Secondary representative	30 September 2017

On 3 October 2014, Pat Newman and Sally Ormandy were reelected as the Principals and Primary representatives, respectively. David Spraggs was elected as the Early Childhood representative replacing Jenny Varney. Claire Amos was elected as the Secondary representative replacing Megan Cassidy.

### EXECUTIVE MANAGEMENT TEAM

Rob McIntosh	Acting Director
Martin Davies	Acting Manager Council Services & Operations
Barbara Benson	Manager Teacher Education
Jenny Thomas	Manager Registration
Andy Greig	Manager Teacher Practice

## APPENDIX 4

### FINANCIAL PERFORMANCE INDICATORS FOR THE PERIOD ENDED 30 JUNE 2014

	As at 30 June 2014	Statement of Intent Target 30 June 2014	As at 30 June 2013
<b>Total Revenue</b>	8,046,377	7,817,127	7,702,249
<b>Total Expenditure</b>	8,662,524	8,435,912	7,719,664
<b>Surplus/(deficit)</b>	(576,147)	(618,785)	(1,7415)
<b>Working capital (current assets minus current liabilities)</b>	4,249,541	4,226,292	4,848,228
<b>Working Capital Ratio (current assets to current liabilities)</b>	2.01	2.08	2.02

#### ***Total Revenue***

Revenue for the 12 months to 30 June 2014 is 3% ahead of budget with key contributors being Teacher Education Approvals (\$192,991 above budget) and Sundry Income (\$155,338 above budget). Revenue from fees was \$74,457 below budget.

#### ***Total Expenditure***

Total expenditure is 2% above budget with key contributors being Teacher Practice (\$261,902 above budget), Administration (\$458,000 above budget including \$261,902 Disciplinary Tribunal Legal Costs). Project Expenditure is 58% below budget with key contributor being Special and Strategic projects (\$636,874 below budget)

#### ***Surplus/(Deficit)***

The Councils deficit at 30 June 2014 was \$42,638 below the budgeted deficit.

#### ***Working Capital Ratio (Current assets to current liabilities)***

The working capital ratio of 2.01 is above the Council's minimum of 1.25 and shows the Council is currently in a stable financial position.