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NEW ZEALAND TEACHERS COUNCIL

NZTC Submission on the Discussion Document

A 21st Century Body for the Education Profession

(July 2013)

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INTRODUCTION AND APPROACH

1. The New Zealand Teachers Council (the Council) welcomes the opportunity to contribute to the current discussions on transforming the current body into a professional leadership body for teachers for the 21st century. The Council wholeheartedly supports seeking arrangements that are “focused on strengthening the profession and raising its status” (Cabinet paper, para 4).
2. In its *Statement of Intent* (2010 – 13), the Council signalled that a review was timely because it recognised that the professional body for teachers has already evolved since the 1990s and must continue to evolve to best meet the current and future needs of learners, the public and teachers.
3. There has long been debate about what constitutes ‘a teacher’ and who is able ‘to teach’. The current system links ‘registration’ and the ability to be a teacher (through holding a current practising certificate), and in certain circumstances allows principals to employ people who are not registered teachers and do not hold current practising certificates to nonetheless teach (through a ‘limited authority to teach’). In addition to structural matters, the current review offers some opportunity to achieve greater clarity on this fundamental question.
4. The first phase on the path to a professional body was the establishment of the Teacher Registration Board in the 1990s. The second phase involved the introduction of a new purpose and broader functions, through the establishment of the New Zealand Teachers Council in 2002. The third phase in the evolution of the professional body for teachers is occurring through the current review process, with its focus on establishing a new body “that reflects the best in teaching quality and leadership and is fully owned by its members” (Discussion Document, p.10, 2013).
5. Irrespective of any change in organisational form or specific responsibilities of the professional body that may result from the current review, the Council continues to hold the view that its current vision – *Excel in teaching so the learner may excel* – remains the galvanising focus for the professional body for teachers.
6. The approach that we have taken in responding to the Discussion Document is to base our comments around each of the proposals (presented at pages 14-20), including addressing the relevant specific questions (from page 22). We have also grouped the proposals and questions as follows:
 - *Governance* – functions, form, appointment process and composition of the governing body, along with governance arrangements within the professional body (Questions 1 and 3-4 and the proposals at pages 14-15);
 - *Regulation* – composition of the teaching workforce, forms of regulation of the teaching profession and assessment (Questions 6-8 and the proposals at pages 16-19);
 - *Resourcing* – adequate resourcing of the professional body (Question 5 and the proposal at page 20); and

- *Marketing* – the name by which the professional body is known (Question 2 and that aspect of the governance proposal, at page 15).
7. The Discussion Document states that establishing ‘ownership’ of a professional body by members of the profession is critical to strengthening the profession and the status in which it is held. These objectives require time to achieve, for members to engage with and develop trust in the organisation, and for the organisation to build and demonstrate the necessary expertise and specific knowledge to earn that trust. While the credibility that the Council has had with the profession has varied, it has increased progressively as teachers have been able to see the quality and effect of the work it has been doing. Whatever changes are made as a result of the current review, care must be taken to retain the gains we have achieved – for instance, the well-regarded *Registered Teacher Criteria*, and a respected conduct and competence process – and build on them.
 8. Many earlier concerns about the Council and its processes and practices simply reflected the stage in shifting from the more limited functions of the Teacher Registration Board, to the broader functions introduced for the Council. Delivering of those functions for a decade and working with and applying the legislation on a day-to-day basis since the establishment of the Council in 2002, means that we have identified a number of areas where legislative amendment would clarify requirements, powers, processes and so on – all of which would also assist in further improving the operation of the regulatory system and the impact of a professional leadership body on the quality of teaching and learning.
 9. In this submission, the Council has identified some areas where, irrespective of the wider proposals for change, legislative amendment would allow improvements in the various regulatory systems and processes. The Council has also identified a number of additional areas where largely technical amendments to the legislation would further improve operations and outcomes, and looks forward to contributing those proposals at the next stage of the review.
 10. Perhaps the most difficult area in the current statutory framework is that, despite a statutory purpose relating to professional leadership, which suggests a direct role, the functions are largely focused on specific regulatory or intermediate matters, largely limiting the Council’s leadership levers to how well it fulfils its regulatory functions. There is a clear relationship between these factors and the Council has sought to provide leadership through both its regulatory approaches and, for instance, its research activities. Statutory functions that permitted a greater range of professional leadership levers would however, be highly valuable now and indeed are necessary to facilitating the extension from a professional [regulatory] body to a professional *leadership* body.
 11. **The Council’s view** on the two larger aspects of the current discussion (Cabinet paper, para 8), is that:
 - the preferred governance arrangements for the professional body for teachers are for there to be greater independence from the Government (as a statutory body on Schedule 4 of the Public Finance Act), recognising that ultimately the role of

determining the membership of the governing body would, as a consequence, largely fall to the Government rather than the profession; and

- the concept of an 'authority to educate' that is different from 'registration' already exists through the 'limited authority to teach'. The current discussion provides an opportunity to clarify and strengthen the processes and requirements around the two different concepts – registration and authorisation – (as well as the concept of what is a 'teacher'. The discussion is therefore usefully focused on dual objectives of strengthening both the teaching profession (so that all members *excel in teaching*) and the learning experience for children and young people (so that *learners may excel*).

SECTION 1: GOVERNANCE

1.1 Proposals and Questions

GOVERNING BODY – COMPOSITION AND APPOINTMENT OF MEMBERS

Every member of the governing body should: be knowledgeable about education; have successful governance experience; and be appointed by the Minister (with opportunities for nomination from members of the teaching profession) (pg. 14)

Question 1:

What should be the focus and responsibilities of a body created to lead the development of the education profession? (pg. 22)

Question 4:

What skills, knowledge and experience should be required on the board governing a professional body for education? (pg. 22)

GOVERNING BODY – ACCOUNTABILITY AND REPORTING

The professional body must be accountable to the public interest for its roles in setting and enforcing standards for competence and conduct through transparent conduct of the functions: annual report to Parliament; provision of statistical information to the Minister; having its regulatory functions being subject to independent audit. (pg. 15)

Question 3:

In what aspects should the body be accountable to the profession and on what issues should it be accountable to the Government ? (pg. 22)

1.2 Background

12. The Council has linked its consideration of three of the specific questions – focus and responsibilities (question 1); skills, knowledge and experience required for the board (question 4); and the focus of the body’s accountability (question 3) – under a broad grouping of matters relating to governance arrangements for the professional body for teachers.
13. The maxim ‘form follows function’ is useful to the current discussion. It is critical that the functions for which the professional body for teachers will be responsible directly inform decisions about:
 - the required knowledge, experience and skills that are expected of individual members and of members collectively;
 - the size of the governing body, necessary to provide the required expertise and perspectives; and
 - the method by which individuals become members of the body.

14. The appropriate organisational form will reflect the nature of the relationship that the Government considers necessary or appropriate for it to have with the professional body for teachers, informed by its acknowledgement that “teaching is a critical profession for New Zealand’s future” (Cabinet paper, para 2). The mechanisms by which people become members of the governing body will then be a function of that relationship – and of the desired relationship between teachers and their professional body. The respective Minister is involved in the appointment of some or all members of all organisations in which they have an interest, however distant from subsequent Ministerial direction, and the Council recognises that will continue to be the case for this organisation whether as a statutory body or a Crown entity.

1.3 Functions – Focus and Responsibilities of the Professional Body

15. As noted above, although ‘leadership’ is included in the statutory purpose of the current Council, its statutory functions mean that ‘leadership’ is largely limited to being seen in the effect of how the Council approaches and how well it delivers its regulatory functions.
16. Some professional bodies have combined regulatory and explicit professional development functions, which is an arrangement that provides greater opportunity for the organisations to be effective as the leader of those professions. In the teaching profession, there is a considerable, broad and effective industry of organisations that focus on professional development for teachers. The Council considers that extending (or making more permissive) the statutory functions of the transformed professional body is essential to providing it access to a wider range of levers at different stages of the regulatory process, some of which we discuss in this submission.
17. **In the Council’s view**, the focus of a strengthened professional body for the teaching profession, with an explicit focus on leadership of the profession, means that the body would be responsible for:
- a. Providing strategic leadership for the teaching profession to advance the importance of excellent and effective teaching practice, raise the quality of teaching and learning, and sustain public confidence in the profession by:
 - promoting and informing public discussion and debate of issues relating to the profession, teaching and learning;
 - setting and promoting understanding of rigorous standards for: entry to the profession (registration); and maintaining the ability to practise as a teacher (practising certificates or authorisation);
 - maintaining an evidence-based framework of formal rules (regulations), policies and processes to guide regulatory decision-making relating to individual teachers;
 - holding teachers to account for their competence and conduct through the consistent application of disciplinary rules and policies; and

- b. Ensuring the efficient and effective operation of the professional body in fulfilling its statutory functions and meeting its wider responsibilities.
18. These functional areas (above) are intentionally broad. As noted elsewhere in this submission, an effective professional leadership body requires the ability to exercise a wider range of specific levers than is available to the Council under its current functions. The statutory functions should permit the independent professional body to determine the specific levers at its disposal within these functions.
19. In addition to broad functional areas, an effective professional body for teachers must also operate in ways that recognise and accept their implicit responsibilities to the profession and its individual members; all learners and their care givers; and the Government and public to:
- earn and retain the trust and confidence of all stakeholders in providing leadership for the profession;
 - consistently perform its regulatory decision-making roles by following best practice;¹ and
 - contribute to the Government and public’s expectation of a high performing education system by helping build the capacity and capability of the teaching workforce to effectively engage with all learners.

1.4 Form of the Professional Body

20. The Council opened its submission with consideration of the statutory functions of the professional body, consistent with the maxim that ‘form follows function’. In the current situation however, the question of form is somewhat limited, focused as it is on the need to balance a small number of competing tensions. Those tensions relate to the extent to which the efficacy of the regulatory regime relies on the involvement of members of the profession; and the choice between independence and the appointment of members of the governing body.
21. The Council addresses both of these questions through the following discussion, in particular in sections 1.4.1 and 1.4.2.

1.4.1 Governance Model and Entity Type

Establishing credibility in strengthening the profession – through performance and practices

22. The Discussion Document emphasises that the new professional body must have ‘buy-in’ from the profession. A number of factors influence the view that a profession has on its regulatory and professional body, and we have seen changes in that over recent years.

¹ Important references for understanding what constitutes ‘best practice’ in delivering regulatory functions include the *Code of Good Regulatory Practice* [2011] developed by the then Ministry of Economic Development, which provides guidance for effective regulation, and the Council for Healthcare Regulatory Excellence in the United Kingdom, which has developed the concept of “right touch regulation”.

23. Teachers in New Zealand are increasingly recognising the Council as credible in fulfilling its functions and responsibilities. The process of building trust and credibility will always take time for a new (or significantly changed) organisation. Factors that appear to have had the most effect on the increasingly positive regard in which teachers are holding the Council today include:
- improved communications and increased engagement of teachers and professional leaders with the Council – seen, for instance, in:
 - extensive involvement in the Council’s review of the *Satisfactory Teacher Dimensions* and the development of the *Registered Teacher Criteria* (2006-2010), through engagement in the consultation, participation in the pilots and in ongoing implementation;
 - the increasing level of hits on the Council’s recently introduced *Social Media* website (July 2012), which it developed to assist practitioners apply the *Code of Ethics*, in response to the rapid growth in the use of social media by learners and teachers;
 - the growing response to the Council’s *Induction and Mentoring Guidelines*, evidenced by the attendance of practitioners at the recent Teacher Refresher Committee Conference (May 2013), and the on-going demand for induction and mentoring workshops and resources;
 - ongoing improvements in the reliability, timeliness and transparency of the Council’s performance of its regulatory functions – seen, for instance, in:
 - increasing reporting of complaints, with an associated increase in workload of Council members; and
 - the Council’s high rating by Audit NZ, based on its achievement of and reporting against agreed measures;
 - almost all early childhood services and schools are now using the *Registered Teacher Criteria* for teacher appraisal in the renewal of practising certificates, and there has been an overwhelming demand for the Council’s appraisal workshops, such that the Council has doubled its investment in this project in the last financial year;
 - the strong response from professional leaders to workshops providing professional support for leaders in understanding and being able to process issues of teacher competency to achieve satisfactory outcomes.
24. The changes discussed above have occurred under the current governance model (mixed means by which people are appointed to a governing body of eleven members) and entity type (autonomous Crown entity). Further, these are changes that have required lead time to achieve, yet have been critical to building trust and a sense of value within the profession for what the Council has delivered. Development of the *Satisfactory Teacher Dimensions* and the *Registered Teacher Criteria* in particular, were major projects and the value of them is

beginning to show, including the level of adoption of the standards, and the level of participation in workshops and conferences – and in how the profession sees and engages with the Council because of how it sees the Council has engaged with them.

25. There are two key factors that have had the greatest direct effect on the perception of the profession to the regulation of its members: firstly, the presence of members of the profession on the body and the means by which they are selected; secondly, the perceived level of independence from the Government.

Establishing credibility in strengthening the profession – through structure

26. The Council recognises the tensions inherent in the relationship between these two broad factors:

- the greater the involvement of the profession in selecting the members, the more acute the Government’s need for other means of influencing the direction of the professional body and retaining its focus on protecting the public interest, suggesting an organisational form that is closer to government (perhaps as a Crown agent required to take account of Government policy, or retention of the Council’s current status as an autonomous Crown entity required to have regard to Government policy); and
- the further the body is from the Government’s direct influence, for instance as a statutory body outside the strictures of the Crown Entities Act 2004, the more acute the Government’s need for influence through the primary remaining lever available, the power to appoint the members of the governing body.

27. From the perspective of members of the profession, motivated to secure ‘ownership’ of the body by the profession, the tension is between influence over membership of the governing body and independence from the Government’s control or influence in direction setting and related matters. From the Government’s perspective, motivated by the desire to protect the public interest, the tension is the obverse. The most likely options for reflecting the preferred balance in this tension means that the professional body will be either:

- a statutory body, probably on Schedule 4 of the Public Finance Act², independent of the Government, all members of the body appointed by the Minister; or
- an autonomous Crown entity, with greater direct involvement of the profession and representative groups in determining the members of the governing body, and a requirement that it has regard to government policy.

2 Statutory bodies on Schedule 4 of the Public Finance Act 1989 include Agricultural and Marketing Research and Development Trust, Asia New Zealand Foundation, Leadership Development Centre Trust, New Zealand Lottery Grants Board, Research and Education Advanced Network New Zealand Limited, various Reserves Boards and trusts and companies in which the Crown has an interest.

Establishing the professional leadership body with the appropriate entity form

28. The preferred arrangements must reflect the optimal balance between those interests and inherent tensions. Ultimately however, determining the preferred balance in the tension between independence from the Government and involvement by the profession in determining the membership of the governing body largely falls to the Government's assessment of risk, influence and opportunity to strengthen the profession and raise its status.
29. While there are some advantages and disadvantages of both options, they are at the margin. The Council's view is that a strengthened profession with raised status that is effective in lifting learning levels for all learners through consistently delivering higher quality teachers and teaching can occur under either option.
30. Both options require:
 - greater clarity in the statutory framework generally, in particular removal of uncertainty and over-prescription in aspects of the regulatory process, and allowing the professional body to exercise its powers with greater discretion, to best match the circumstances (with attendant protections);
 - greater recognition of the complexity of the profession and of teaching and learning, in particular through the governing body having sufficient members to provide a diversity of perspectives that reflects the diversity of teaching and learning;
 - simplifying of the current model for determining the members of the governing body, recognising that (at least formally) the Minister has final appointment powers over all members now (which will not change), and shifting to the need to achieve a balance of perspectives, irrespective of 'representation', with greater transparency, for instance through announcements of all appointment decisions being accompanied by a brief explanation against that need for diversity; and
 - specific recognition that leadership of the profession requires access to levers (within broad regulatory functions) that allow the professional leadership body to provide services that go beyond the immediate regulatory process.

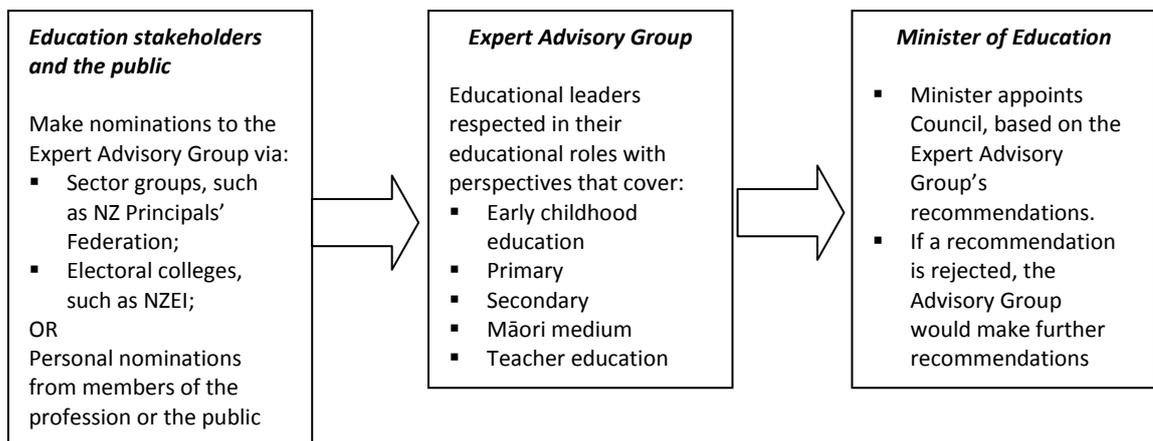
1.4.2 Appointment Process

31. While recognising the Government's primary role in appointing the members of the governing body, it nonetheless remains critical for the profession's 'ownership' of the body that there are clear mechanisms by which teachers may 'have a say' in or influence over identifying individuals from the profession to be considered for appointment.
32. There are a number of options for the profession to influence the appointment of members of the governing body, most notably:
 - a. *election* – shifting the current election process open to all teachers from the 'election of individuals' to 'electing' a list of candidates or nominees, with the Minister to make appointments from the resultant pool of top polling candidates – to demonstrate this

approach, if there were ten places for members of the profession, the list of elected nominees provided to the Minister may be the top fifteen polling candidates;

- b. *nomination* – extending the current nominations process to a similar approach to that described above for an election process, with the nominating organisations invited to forward nominations that would then be pooled into a combined list of nominations from which the Minister would make appointments. The nominating organisations would be the various representative groups of teachers that the legislation had previously named for this purpose. In order to focus on diversity of perspectives and broaden the engagement of different facets of the profession with the professional body, it would be useful for the nominating organisations to be extended beyond the current groups. There would be no filtering under this approach unless the number of nominations well-exceeded the number of positions. In that case, the Ministry of Education, which would act for the Minister in this matter under all options, may seek the views of the then current governing body;
- c. *recommendation* – establishing an expert advisory group with members appointed by the Minister, comprising educational leaders who are respected in their educational roles, covering early childhood, primary, secondary, tertiary (teacher education) and Māori medium education sector perspectives. This group would seek and review nominations from education stakeholders and the public before forwarding recommendations for appointment to the Minister. (see Fig 1). To demonstrate this approach, if there were ten places for members of the profession, the group may recommend only the number of names required to fill vacancies or provide a narrow set of reserves.

Figure 1



33. A further critical factor is that, under all options, the selection process must be transparent to the profession. As noted above, the announcement of appointments would usefully be accompanied by a brief explanation of the reasons, largely focused on seeking to maintain a wide range of perspectives and expertise on the body.
34. On balance, the preferred approach should provide the greatest opportunity for members of the profession to be directly involved in identifying those members of the governing body

drawn from the profession (as in option a in the list above – election). Further, the system should be as straightforward as possible, suggesting a single system (election only) rather than the current mixed election and nomination mechanisms. Groups within the profession would be able to identify, encourage and promote individuals to stand for election.

1.4.3 *Composition of the Governing Body*

35. All effective governance bodies rely on their members individually and collectively having a range of expertise (skills, knowledge and experience) covering diverse perspectives. Composition of an effective governance team for a professional body specifically recognises the critical importance of members of the profession to the task of leadership of that profession. Thus, a professional body requires a predominant number of its members to be drawn from the profession, with the balance bringing general leadership and governance expertise. All members need to be able to contribute to leadership of the profession and lifting the quality of teaching and learning across the full breadth of the pre-tertiary sector as a result.
36. Members drawn from the profession (or the teaching workforce – see Section 2.3, below) need to:
 - be experienced in professional leadership of teachers, through the breadth of their experience, not limited to the positions they currently hold or whether the roles are formal leadership positions;
 - understand regulatory policies and processes, and exercise sound regulatory judgements;
 - have the respect of other teachers, be a strong champion for high quality teachers and teaching, and have the ability to gain and maintain the confidence of the profession;and collectively
 - provide the range of perspectives necessary to cover the breadth and complexity of educational experience and expertise that describes and supports a streamlined transition across the various segments of the pre-tertiary education sector.
37. Members drawn from outside the profession need to:
 - have a commitment to advancing excellent and effective teaching practice and sustaining public confidence in the teaching profession;
 - bring diversity of thought to the body’s deliberations, including a preparedness and ability to constructively challenge ‘group think’;
 - have leadership experience in other professions, regulatory experience in other sectors and/or governance experience in other settings; and
 - be knowledgeable of the profession and education, at a ‘big picture’ level, and of what the public expects from teachers and the profession as a whole.

38. On balance therefore, the governing group for the professional body for teachers should comprise:
- a majority of members drawn from the teaching profession;
 - a diverse range of teaching experiences and perspectives – though not on a ‘representative’ basis; and
 - diversity of general perspectives, including strategic leadership and governance in other settings.
39. The Council supports the Minister continuing to appoint the Chair of the governing body, as now.

1.4.4 Governance Structure – Governing Body and Statutory Committees

40. The professional body, as now, must have:
- responsibility for the development of rules by which the statutory disciplinary functions are to be carried out;
 - the power to delegate its functions to committees and/or to the chief executive;
 - the ability to define the roles and delegated powers of its committees;
 - the power to appoint external members to its committees; and
 - the ability to develop rules for the operation of any of its other functions.
41. There are however, a number of areas in which the Council does not currently have discretion, which would usefully be addressed through the current review. An issue of particular importance to the Council is that the legislation currently requires disciplinary committees to have at least one member who is a member of the Council. That requirement does not always deliver the most effective membership of these committees, and the relationship between the role of disciplinary committees and the general governance role of the professional body currently collide from time to time (in practical terms).
42. There are strong arguments for and against members of the governing body being on disciplinary committees:

For – disciplinary committees should include members of the governing body because:

- bringing the experience and perspectives of the governing body assists in being able to understand and respond to more complex disciplinary issues;
- direct practical experience of the disciplinary process helps to inform improvements to rules, policies and processes, including through the opportunity to provide quality assurance for other members of the committees;
- knowledge and understanding of how the process works, gained from membership of disciplinary committees, helps to inform wider leadership discussions;

Against – disciplinary committees should not require members from the governing body because:

- it is useful to retain a separation between making the rules and policies and applying them (separation of policy and operations);
 - separation relieves members of the governing body, which would nonetheless retain responsibility for monitoring and reviewing the functions;
 - separation removes difficulties faced from time to time in maintaining a quorum of the governing body to act as the final (internal) appeal authority;
 - separation creates a wider opportunity for appointing a broad range of members of the profession and appropriately qualified members of the public to the regulatory decision-making roles of the professional body;
 - separation adds severely to the workload required of members of the governing body.
43. On balance, **in the Council's view** it would be beneficial to amend the legislation to allow flexibility for the governing body to exercise discretion in determining the composition of each particular committee, for which it would develop rules and policies to guide how the discretion was exercised.
44. Further, consideration could be given to establishing some committees under legislation as 'statutory committees' with specific powers delegated under legislation rather than by the Council. (See Figure 2 for a potential structure.) The governing body would retain the power to determine the rules and policies to guide their work, as well as membership of these committees, which it could seek by nomination from education stakeholders and the public (as the Council currently does for external members of its Complaints Assessment Committee). Ultimately, the governing body could also retain the power to act as the body to which appeals could be made, if there was substantive evidence for such an appeal process.
45. In reviewing the roles and functions of the disciplinary committees, the intersection and strong interrelationships between issues of conduct, competence and impairment need to be carefully considered. For example, issues of conduct may be strongly influenced by either the competency of the teacher or issues of impairment, such as depression. Although Figure 2 suggests that these matters are quite distinct and insular, this representation is simplistic and indicative only as it does not recognise the inter-relationship between these factors. It is therefore important that, whether they are to be established as statutory committees or are to remain committees established by the governing body, it is timely and important to review the current roles and responsibilities of each of these committees, and consider ways in which they might merge, work together on particular cases or otherwise recognise the inter-relationships of underlying issues.

1.5 Recommendations – Governing Body

46. **The Council's view is that,** to assist cohesion and aid simplicity in a complex profession, the governance arrangements for an effective professional body for teachers must have the following characteristics:
- *size* – the complexity of teaching and learning, the scale of the profession and the intrinsic need for the governing body to reflect a wide diversity of perspectives from across the profession (as well as through lay members), the governing body must have a minimum of 8-10 members, with 10-12 preferred. It is worth noting that the current size of the Council has not been problematic and, at times, has been essential;
 - *balance* – the composition of the governing body must be predominantly drawn from the profession, with a minimum of two thirds being teachers and a strong preference for 75-80 percent teachers, with the remaining 20-25 percent being lay members drawn from other leadership, regulatory and governance settings;
 - *entity type* – establishment as a statutory body on Schedule 4 of the Public Finance Act 1989, with all members appointed by the Minister of Education through the appointment system described below;
 - *single selection system* – all potential members of the governing body selected from the **teaching profession** must be elected by teachers directly (rather than the current mixed election and nomination mechanisms);
 - *appointments* –the Minister appointing members from a larger candidates' pool than is required to fill the vacancies, with an obligation to provide a brief explanation of how the appointments provide for diversity.

Figure 2

PROFESSIONAL BODY FOR TEACHERS – GOVERNING BODY

Governance body (8-12 members) with a focus on:

- Providing strategic leadership for the teaching profession to advance excellent and effective teaching practice and sustain public confidence in the profession by:
 - promoting and informing public discussion and debate of issues relating to the profession, teaching and learning
 - raising the quality of teaching and learning by setting and promoting understanding of rigorous standards for: entry to the profession (registration); and maintaining the ability to practise as a teacher (practising certificates or authorisation)
 - maintaining an evidence-based framework of formal rules (regulations), policies and processes to guide regulatory decision-making relating to individual teachers; and
 - holding teachers to account for their competence and conduct through the consistent application of disciplinary rules and policies; and
- Ensuring the efficient and effective operation of the professional body in fulfilling its statutory functions and meeting its wider responsibilities

COMMITTEES – STATUTORY OR CREATED BY THE GOVERNING BODY

(Panel members appointed by the Council in accordance with its Rules)

REGISTRATION	CONDUCT	IMPAIRMENT	COMPETENCE	TEACHER EDUCATION	DISCIPLINARY
Committee responsible for dealing with registration cases where there are questions relating to: <ul style="list-style-type: none"> ▪ recognition of qualifications and teaching experience; or ▪ good character and fitness to teach and to exercise the powers given under the Education Act.	Complaints assessment committee panels to deal with complaints related to teacher conduct and to exercise the powers given under the Education Act.	Committee responsible for dealing with cases of impairment referred by the complaints assessment and competence committees.	Competence committee to deal with reports related to teacher competence and to exercise the powers given under the Education Act.	Approving, reviewing and monitoring initial teacher education programmes and graduate outcomes.	Disciplinary Tribunal conducts hearings relating to misconduct by, and convictions of, individual teachers, and to exercise the powers given under the Education Act.

REFERENCE GROUPS

(Members appointed by the Council)

Reference groups would be appointed to provide feedback and advice to the Council on professional leadership issues, policies and projects.

1.6 Accountability and Reporting

47. The education system is complex, with the various participants in the system, such as initial teacher education providers, professional leaders in early childhood services and schools, the Government's review agency and so on, independent of the Government and the professional body, with that independence explicitly established and protected. All of these players, as well as individual teachers, have a major impact on the quality of teaching and learning. Considerable care must therefore be taken in determining the expectations and accountability of the professional leadership body for teachers.
48. Within that complex system, the focus of the *professional body* must be on protecting learners, and doing so in ways that are cognisant of the effect on the profession. A professional body for teachers must therefore be accountable (in different ways) to the Government and the public interest, to the profession collectively and individually, to learners and their parents and caregivers, and to other stakeholders. The accountability of a professional body will focus on its regulatory functions, covering entry to, retention in and exit from the profession, covered in most respects through the consistency, reliability and transparency of its decision-making processes.
49. The nature of a *professional leadership body* as currently under discussion, means that the focus of accountability would be more complex, looking to the body's performance of its regulatory functions having a more direct effect on the quality of teaching and learning. A move to extend the accountability of the body in this way, especially given the range of players involved, requires that there must be an accompanying shift in relevant decision-rights from the Government to the body, in particular through allowing a wider range of functions and levers (centred on and permitted under its high-level regulatory functions) so that it can exercise more influence at a range of points in the system – most notably initial teacher education, professional development for teachers, teacher appraisal, independent review of systems, and so on.

1.6.1 Accountability to the Government

50. Since the 1990s, the Government has accepted that it is appropriate for there to be statutory regulation of teachers and the teaching profession as part of protecting the public interest. The Government (and the public) must be able to have confidence that all members of the profession are fit to be teachers and are competent to teach.
51. The professional body for teachers is therefore accountable to the Government for the consistency and reliability of its processes and judgements in exercising statutory powers to carry out those regulatory functions, namely:
 - *Assessing who becomes a registered teacher* – setting and applying the standards for entry to the profession so that only those who are fit and competent to be a teacher are registered. The standards need to apply to teacher education programmes and teaching qualifications delivered in New Zealand; and to qualifications, experience and fitness to practice for people who trained and qualified overseas.

Other levers that might be appropriate for an effective professional leadership body include having influence over the providers of pre-service and in-service teacher education programmes (in conjunction with other approval agencies), and over the numbers and focus of teachers entering initial teacher education.

- *Assessing who is able to practice as a teacher* – setting and applying evidence-based standards to re-certify those in the profession as competent and up to date in their teaching practice who are therefore able to continue to teach, so that a teacher with a practising certificate (or other form of authorisation) maintain their competence, use best teaching practice, and continue to practice safely with children and young people. The sheer size of the teaching profession and the locally led and managed character of our pre-tertiary education system mean that there must be a high-trust philosophy in assessing the ongoing competence of teachers, with the primary responsibility properly resting with professional leaders in early childhood services and schools. Under the current system, the professional body must rely on the assessment of others, which is largely successful through nonetheless creates some uncertainty.

Other levers that might be appropriate for an effective professional leadership body include having influence on the focus and quality of professional development opportunities available for teachers, and developing and lifting the competence of professional leaders to undertake teacher appraisals, given the varying levels of experience and competence in these areas across the sector as a whole.

- *Determining who is no longer appropriate to be a teacher* – determining the processes to be used and the standards and ethical frameworks to be applied to assess who is to be removed from the register, for long or short periods, for reasons of misconduct, because they are impaired or are practising below the required standard.

Other levers that might be appropriate for an effective professional leadership body include having greater discretion over determining the most appropriate disciplinary process (committees etc) and options (outcomes) for individuals, to best balance protecting learners and recognising the circumstances of each disciplinary case, with no loss to (and probably improvement in) the transparency of the system.

52. The formal means by which the professional leadership body for teachers is accountable to the Government is through the standard mechanisms set out in the Discussion Document (p. 15), which the Council supports. Particular care would, of course, be required in the conduct of any independent audit into the disciplinary function: the professional body must have the opportunity to confirm that those involved in the audit have the necessary competence and knowledge; and the conduct of the audit must be consistent with the body's ethical framework and, in particular, continues to protect the rights of the parties.

1.6.2 *Accountability to the Profession*

53. The professional leadership body for teachers must be credible and accountable to all of its stakeholders, especially to the profession that it regulates. In addition to the critical focus on keeping learners safe, there is an implicit 'duty of care' on the professional body that, through

the consistency and reliability of its regulatory processes and judgements, it will prevent individuals from 'letting down' other members of the profession or the profession itself, or detracting from its status. The body can demonstrate its accountability to the profession through:

- *clear expectations* – setting evidence-based standards for entry (registration and authorisation), retention of the ability to teach (practising certificates), and removal from the profession (de-registration), in consultation with the profession and the public; and
- *rigorous processes* – following best regulatory practice, including operating in a fair, transparent and consistent manner and in a timely way in relation to assessing competence and dealing with complaints and concerns about individual members of the profession;
- *reliable judgements* – consistently delivering judgements that are accepted by the parties, do not draw substantive challenge or concern from the profession or the media, and are confirmed on appeal; and
- *leadership* – having well respected professionals on the governing body who can provide effective strategic leadership for the profession and are active in promoting public awareness and debate on educational issues related to teaching and learning.

1.7 Recommendation – Accountability

54. **The Council's view is that,** to be effective in providing professional leadership for teachers, and being able to demonstrably lift the quality of teaching and learning, the mechanisms (functions, powers and levers) available to the body must be wider than the core regulatory functions and powers available to the Council currently. Enabling the professional body to have a wider influence within the education system more generally, with clear statutory support, is fundamental to the professional leadership body for teachers being accountable for the professionalism and status of the profession.

SECTION 2: REGULATION

2.1 Proposals and Questions

NON-REGISTERED EDUCATORS

The [professional body] gives active consideration to the definition of a broad employment category of Authority to Educate for employees who would not be members of the teaching profession but would be able to make a professional contribution, complementing the expertise of teachers and providing expertise that enriches the learning opportunities of students; and decide the criteria and standards for the Authority to Educate. (pg. 19)

Question 8:

What are your views on the proposal to introduce an Authority to Educate to allow for more flexibility to employ people with specialist skills alongside registered teachers ? (pg. 22)

SEPARATION OF REGISTRATION AND THE PRACTISING CERTIFICATE

Separate registration (signalling membership of a profession) from the issuing of a practising certificate (granting authority to practice), with the authority to practice teaching renewed regularly; and that the right to practice be specified within a clearly identified scope of practice (with the professional body to consider the scopes of practice) (pg. 16)

Question 6:

What changes should be made to the current registration and practising certificate processes?

PROCESSES FOR ASSESSING COMPETENCE

Strengthen the assurance available that those assessing the competence [of registered teachers] on behalf of the professional body for purposes of practising certificate renewals have the required skills and are accountable to the professional body (pg. 17-18)

Question 7:

What changes should be made to the process of assessing a teacher's competence against the Registered Teacher Criteria? (pg. 22)

2.2 Background

55. The Council has merged its consideration of three of the specific questions under the broad grouping of matters relating to regulation of teachers, because of the connections between the underlying concepts – recognising other forms of educators (question 8); improving the regulatory processes (question 6); and improving the assessment of teachers' competence (question 7).
56. The size of the profession (membership numbers), and the nature of the obligations on others within the system (such as principals in fulfilling their obligations as employers and professional leaders) have combined to flavour the regulatory system for the teaching

profession and how the system works. Judgements as to the likely suitability of individuals to be high quality teachers are taken by initial teacher education providers in both admitting people as students on their programmes and granting qualifications to them at the conclusion of the programmes; judgements about the fitness of individuals to be teachers and their teaching competence are taken by professional leaders in early childhood services and schools when people seek registration as a teacher (and their initial full practising certificate) or renewal of their practising certificate.

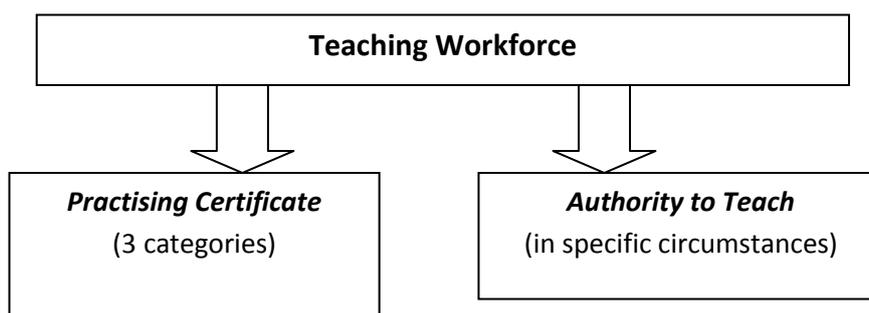
57. It is important to note that the Council currently most often has direct engagement with individuals to clarify registration processes, or when there is some concern about their ongoing fitness or competence of individuals to be teachers, commencing a disciplinary process that, at its extreme, would lead to registration being cancelled.
58. Thus, the system for providing assurance as to the fitness and competence of individuals to be teachers is a 'high trust system', relying on the activities and judgements of a range of participants, with little direct involvement of the professional body. As a body that is more clearly a professional *leadership* body, its explicit responsibilities should build on those of the Council to take it beyond being a sound regulator, to having more direct influence over the quality of the profession. To achieve that change, the regulatory framework would:
- build on the current focus on setting standards and considering matters when there is a potentially significant breakdown against those standards;
 - allow more active involvement in supporting application of the standards by promoting understanding of them through professional development for those who will / might apply them;
 - introduce a new role in formally recognising competence in appraisal, for instance, by requiring those undertaking appraisals to have current training on the *Registered Teacher Criteria*. (It is also useful to note here the Council's current work on developing additional standards for professional leaders, which would include a competence in teacher appraisal); and
 - consider independent assurance – through, for instance:
 - an independent party assessing the performance of professional leaders (and others) in undertaking appraisals on either a peer review or more formal basis, with the professional body certifying reviewers; or
 - specific review of the appraisal competence of professional leaders as an extension of the functions of the Education Review Office.
59. In delivering the curricula (Te Whariki, the NZ Curriculum or Te Marautanga), trained and qualified teachers provide the greatest assurance to the Government and the public of a high quality professional workforce. The Council recognises however, that there needs to be flexibility in providing a teaching workforce and agrees that the current (and proposed) process of authorisation to teach allows for the employment of individuals when the employer has been unable to secure an appropriately qualified, registered teacher for the teaching

position, or the individual provides specialised knowledge or skills that cannot readily be met by a trained and qualified teacher.

2.3 Composition of the Teaching Workforce

60. The Discussion Document (p. 19) proposes a new broad category of employee who, though not a registered teacher and not holding a current practising certificate is nonetheless able to teach. The proposal emphasises a focus on “specialist skills to complement [and extend] the teaching workforce”, and being able to respond to particular situations “where students require a range of flexible learning opportunities”, while also acknowledging the “continuing [need] to maintain high standards for the teaching of all students, regardless of where they learn”.
61. As the Discussion Document also indicates, there are inherent tensions between the perspectives of the profession and learners, in terms of who it is appropriate to have in the role of a teacher.
62. From the perspective of members of the profession who are trained, qualified and registered as a teacher and who hold a current practising certificate, any situations in which individuals who are not similarly recognised is a challenge to the concept of what constitutes a ‘teacher’ and to the professionalism of teaching. There is a strong argument therefore, that a new professional leadership body for teachers focused on lifting the professionalism and status of the teaching profession should not have any role at all in relation to people who are not formally recognised as ‘teachers’. That approach would end the professional body’s involvement in granting ‘limited authority to teach’ and stall the body’s involvement in authorising any other form of unqualified teacher, on the grounds that the professional body is focused on promoting high quality teaching through a high quality profession and not through recognising individuals who are outside the profession.
63. From a learner perspective however, viewing ‘registration’ as a general regulatory concept involving varying degrees or styles of ‘authorisation’ (based on different criteria and standards etc) that delivers people ‘in the classroom’ who are fit for purpose, recognises:
 - the practical realities that some schools face in securing suitably qualified teachers for all positions at all times;
 - supports greater flexibility especially for covering short-term reliever and teacher release needs; and
 - provides controlled means for allowing a wider range of specialist expertise to be available to enrich learning opportunities where that is required for particular learners.
64. On balance, in considering these tensions, the Council proposes a new way of viewing the ‘teaching workforce’: that to be employed in a teaching position every person must have either a current practising certificate or authorisation (see Fig 3 – next page).

Figure 3



65. As discussed below, *Practising certificates* would, in different ways at different times (including before registration), recognise individuals as ‘teachers’, while *registration* would occur once. *Authorisation* would allow individuals who are not teachers to nonetheless hold teaching positions in specific circumstances.

2.3.1 *Practising Certificates*

66. A practising certificate would always be issued for a fixed period of time (currently three years). There may be benefit in allowing some flexibility to shorten the term of a practising certificate as part of the response to a disciplinary matter.

67. There would be three categories of practising certificate, as now:

a. *A provisional practising certificate*, which would be issued:

- to a graduate of an approved New Zealand initial teacher education programme who meets the professional body’s requirements relating to the good character, fitness to teach and language proficiency policies;
- an overseas applicant whose teaching qualifications are recognised by the professional body as comparable to those issued in New Zealand and who meets the professional body’s good character, fitness to teach and language proficiency policies;

b. *A full practising certificate*, which would be issued to any teacher who has held a *provisional practising certificate* (above) or a *subject to confirmation practising certificate* (below) and meets the requirements to become a full member of the profession and consequently becomes a *registered teacher*. A teacher with a *full practising certificate* would have been meaningfully appraised by a professional leader in their early childhood service or school and adjudged to have met all of the *Registered Teacher Criteria*.

c. *A subject to confirmation practising certificate* would be issued:

- to any registered teacher who has previously held a full practising certificate in New Zealand and is again seeking to be employed in a teaching position; or
- an overseas applicant who, in addition to having qualifications that are recognised as comparable, also provides evidence of significant teaching experience, including

holding positions of responsibility. The applicant must also meet the professional body's good character, fitness to teach and language proficiency policies.

2.3.2 Registration

68. Being a registered teacher would not be modified or qualified in any way, such as by notions of 'full' or 'provisional'. The status of a *registered teacher* would be achieved when they are issued with their initial *full practising certificate* and only a teacher who had met this milestone would be able to legitimately describe themselves as a 'registered teacher' (RT).
69. The professional body should be encouraged to recognise and promote use of the abbreviation 'RT', as one way of recognising the status of the profession and of indicating to those holding provisional practising certificates that further development is required.
70. A registered teacher would remain registered even if their practising certificate expires, until either they requested that their registration be cancelled, or the professional body cancelled the teacher's registration for competence or conduct reasons.
71. A teacher with a *provisional practising certificate* has not yet been assessed as having met the *Registered Teacher Criteria*, and is not a registered teacher. Similarly, a person with an authorisation to teach in specific circumstances is not a registered teacher. Individuals holding these types of authorities are not (yet) full members of the teaching profession.

2.3.3 Authorisation

72. As the Discussion Document acknowledges, there is an existing provision for an authorisation to teach that does not constitute a practising certificate or registration as a teacher. The proposal to introduce a new 'authority to educate' is presented based on an assessment that the current 'Limited Authority to Teach' falls short of the flexibility that is required because it is viewed by some as applying to a position rather than an individual. The Council does not support this interpretation of the limited authority to teach, although it does support the general aim of having some controlled flexibility over who, other than a teacher holding a current practising certificate, might be acceptable to teach in specific circumstances.
73. As for a practising certificate, an 'authorisation' should be granted for a fixed period of time (possibly shorter) and require the applicant to meet the requirements of being of good character and fit to be a teacher. Applicants for an authorisation should also be required to provide evidence that they are likely to be a satisfactory teacher, at least in the specialist setting in which they are seeking authorisation. In the absence of a teaching qualification, the granting of an authorisation to teach must consider and limit the scope of a person's authority to teach. The Council supports the proposal that the professional body determine the criteria for granting an authorisation.
74. In order to support the argument that there is a need for an authorisation, an applicant, who may or may not be seeking a particular position at the time, should be required to provide evidence of specialised knowledge or skills that they have that, in their view, cannot be readily met by a trained and qualified teacher.

75. On the other hand, an employer supporting a person's application for authorisation or otherwise considering the employment of an authorised person, should be required to seek approval from the professional body to employ an authorised person, and to provide evidence that they have been unable to secure an appropriately qualified, registered teacher for a specific teaching position.
76. Individuals seeking an authority to teach would be motivated to contribute through teaching despite not having a teaching qualification. The professional body and any professional leader employing an individual with an authority should nonetheless be expected to encourage and facilitate options for people to move towards becoming a qualified teacher or at least to undertake some specific professional development to assist them in their roles. Further, professional leaders who employ individuals holding an authority to teach should be able to do so for a relatively limited period only and, unless the position is entirely based around specialised expertise, should be expected throughout that period to actively seek to appoint a suitable person holding a practising certificate to fill the position.
77. The Council does not agree that there is a need to introduce a new 'Authority to Educate', as proposed that is distinct from a 'Limited Authority to Teach'. The Council does however, accept that there needs to be capacity for the authorisation of people who are not trained teachers to fill teaching positions in limited circumstances, and considers that an authorisation option that draws from both the current and proposed categories would provide the flexibility required in the teaching workforce.
78. In terms of language, 'authorisation' sits well with 'registration', as does 'authority to teach'. The language of 'authority to educate' is somewhat awkward and confusing, given the wider use of that term (see Section 4). A person holding such an authority will be 'teaching', albeit in specific circumstances.
79. As indicated in the Discussion Document (pg. 19) the professional body would necessarily be responsible for reviewing current policies and standards relating to authorisations to teach, which would reflect the evolving demands on the teaching workforce, whilst remaining focused on both protecting learners and supporting options for enriching their learning opportunities, within the ethos of a strengthened teaching profession.
80. For these reasons, the Council proposes that an on-line *Teaching Status List* is maintained. Employers, the public and teachers would be able to access the list from the Council's website in the same manner they do currently. All entries on the list would clearly describe the nature of each individual's teaching status, including any limitations on the scope of a practising certificate or authority to teach, and any annotations arising from disciplinary processes.
81. A separate New Zealand Teacher Register (registered teachers only) would also be maintained.

2.4 Recommendations – Regulation

82. **The Council's view is that** anyone employed in a teaching position must have either a current practising certificate or authorisation.
83. **The Council's view is that** regulation of the teaching profession would be stronger with:
- registration de-coupled from the practising certificate and any other form of authorisation to teach so that:
 - a teacher becomes a registered teacher only when they have been issued with a *full practising certificate*;
 - a registered teacher remains on the Register even though they may not have a current practising certificate, until there is a request or cause to cancel their registration;
 - a teacher with a *provisional practising certificate* is not a registered teacher and therefore is not a full member of the teaching profession; and
 - similarly, a person holding an authorisation to teach is not a registered teacher.
 - the three categories of practising certificate retained in their current forms: *provisional practising certificates*; *full practising certificates*; and *subject to confirmation practising certificates*.
 - a broader 'authority to teach' introduced that draws from the current 'Limited Authority to Teach' and the proposed 'Authority to Educate';
 - a *Teaching Status List* maintained as an extension of the New Zealand Teacher Register to provide a full list of the authorised teaching workforce;
 - the new professional body for teachers having more discretion in its powers and functions than the Council currently has, to enable it to exercise different levers from time to time, focused on professional leadership in particular (such as how it might seek to strengthen the quality of appraisal practices), and respond in more tailored ways to particular disciplinary situations.

SECTION 3: RESOURCING

1.1 Proposal and Question

RESOURCING THE PROFESSIONAL BODY

The professional body requires an appropriate level of funding from its members that would translate into benefits for members and for the profession as a whole [from leading and regulating the profession] (Pg. 20)

Question 5:

A high quality, high status professional body needs to be resourced adequately. In light of the fees required by other professional bodies, what are your thoughts on membership fees and what you might expect in return ? (Pg. 22)

1.2 Resourcing the Professional Body

84. The Council supports the observations in the Discussion Document that the professional body requires an adequate level of resourcing, recognising that fees will always be the almost sole revenue stream. The level at which professional membership fees are set can have some effect on the sense of the value or status of the profession and of what membership of the profession delivers. At less than \$100 per year, the current fee is at the lower end of the fee structures for other professional bodies in New Zealand, by a significant margin for some.
85. A direct comparison with the fees required from members of other professional bodies however, has limited merit. The need for revenue still has to be identified (through annual plans and budgets) and the fees set justified in terms of cost.³ Further, the fees need to be demonstrably required to deliver the services that matter to the profession collectively, to individual members, and to learners, parents and caregivers, and other stakeholders. The fees also have to reflect the downward pressures of the economies of scale at play in the teaching profession, relative to other professions; recent moves to increase the use of technology through online processes, with a subsequent reduction in costs; and so on.
86. Upward pressures on the proposed professional leadership body's costs, relative to the Council's costs, would nonetheless arise from:
- introducing a new function, promoting public debate and discussion of matters relating to education (Discussion Document, page 12) – though this function is likely to have relatively low cost implications;
 - extending the existing investment in providing professional development opportunities for professional leaders to support greater competence, in particular, in applying the standards and undertaking appraisals against the *Registered Teacher Criteria* – demand for these opportunities would be greater still if there was a formal requirement for currency of training in appraisal approaches;

³ See <http://www.oag.govt.nz/reports/good-practice-guides>.

- introducing a moderation system to provide assurance about the judgements professional leaders are making in applying the *Criteria* – though the professional body’s involvement in such moderation is more likely to be to train and/or certify moderators, who may be other professional leaders (peer review), rather than directly undertake the moderation, with lower cost implications;
 - introducing moderation of the standards by which initial teacher education programmes are approved and reviewed;
 - allowing the professional body to work internationally (rather than relying on ‘any other functions’), with the flow-on effect of promoting the quality and status of the teaching profession in New Zealand – the Council has received requests to provide services on this basis, although such services would be largely self-funding;
 - developing a brokerage service that involves seeking tenders or applications from professional development providers for the professional body to assess their courses or programmes and make information available on the body’s website as an endorsement of their quality, focus and relevance – this service would also be largely self-funding;
 - implementing activities that the Council has agreed in its *Statement of Intent* (2013-2015), including:
 - rolling out (in strengthened ways) of workshops on *Registered Teacher Criteria* for both teachers generally and for those who will apply the criteria in undertaking appraisals;
 - implementing the review of the work of the Complaints Assessment Committee – the implications from this review, as indicated by the work completed to date, include an increase in the size of panels, and an extension of the range of situations in which mandatory reporting is required. Both of these changes would affect the costs of this aspect of the regulatory functions, with the changes focused on protecting the interests of learners;
 - ongoing improvements in the delivery of core services, such as enabling fully online registration processes and extending the opportunity for teachers and others to engage with the professional body beyond the current 8.00am to 5.30pm weekday availability – with greater use of technology, despite this increase in services, related costs may decline. (The Council is already progressing developments in this area.)
87. Despite these upward pressures on costs and the currently low annual membership fee, relative to other professional groups in New Zealand, the Council is not aware of any material pressure or persuasive argument for substantially increasing fees across the board. There are some areas where an increase may be appropriate, such as the fee for a limited authority to teach, which is currently lower than applying for the renewal of a practising certificate. The professional body must also continue to monitor its cost structures, be able to describe the costs of the services it provides and where and how total revenue is allocated across the full set of functions, and should, from time to time, review its fees and seek to adjust them when appropriate, consistent with related guidance.

88. There may also be value in the professional body being able to introduce some flexibility for members of the profession as to how they pay their fees, whether only three-yearly (as now) or allowing annual payments or even payment by salary deduction, with appropriate controls in place.

1.3 Recommendations – Resourcing

89. **The Council's view** is that, as there is currently no persuasive argument for an increase in fees, the professional body would need to undertake careful financial modelling to identify costs of any additional functions or changes, pressure points in cashflows and so on, before it reached a conclusion that there was a need for additional general revenue from an increase in fees.

SECTION 4: MARKETING

4.1 Proposal and Question

NAME OF THE PROFESSIONAL BODY

A new body with the purpose of creating a stronger and more vibrant profession needs a name to encapsulate its importance. The name should reflect the membership and the vision of enhanced status and professionalism of teaching and leadership in education. (Pg. 20)

Question 2:

What needs to be included in the name of the professional body to reflect its strengthened role ? (Pg. 22)

90. Returning to the earlier discussion about governance arrangements for the professional body for teachers (Section 1) plus recognition in the Discussion Document of the importance of ownership of the professional body by the members of the profession, it is critical that 'teachers' is included in the name of the professional body.
91. Whether the name also incorporates 'leadership' should be determined by whether the body has an extended set of levers and powers over those currently available to the Council that enable it to provide leadership of the profession more directly.
92. The Council is concerned that 'education' is a very broad term, which is used to describe a wider range of people and organisations than teachers and the sectors in which teachers work, and that inclusion of this term risks mis-leading educators, teachers and the public.
93. The Council is less concerned however, about whether the professional body is an association (NZ Occupational Health Nurses' Association – professional leadership), a board (Social Workers Registration Board – regulatory), a council (Medical Council – regulatory), an institute (NZ Institute of Chartered Accountants – regulatory and professional leadership), a society (NZ Law Society – regulatory and professional leadership) or something else. Enhancing the status of the profession will not come from the label that is ascribed to the regulatory and leadership body – and 'Council' continues to seem apt.

4.2 Recommendations – Marketing

94. **The Council's view** is that it is imperative that 'teachers' is included in the name of the professional body, and that a short name is preferable over a more complex name – perhaps:

Teachers' Council of New Zealand (to be known as ***TeachersNZ***).