



# Have your say about protecting the public interest in the work of the Education Council

## Background

*The Education Council plays an important role in the New Zealand education system*

The purpose of the Education Council of Aotearoa New Zealand (the Council) is to ensure safe and high quality leadership, teaching and learning for children and young people in early childhood, primary and secondary schooling in English medium and Māori medium settings through raising the status of the profession.

The functions of the Council are set out in s382 of the Education Act 1989. They include providing leadership to teachers and direction for the education profession, setting standards for initial teacher education programmes and practising standards for teachers, and performing disciplinary and competence functions.

These functions give the Council a critical role in the New Zealand education system. It influences the quality of teaching through its professional leadership function and power to set standards for initial teacher education programmes and practising standards for teachers. Through its disciplinary and competence function, it protects the safety of children and young people in schools and early childhood centres. In setting criteria for teacher registration, it can significantly influence teacher supply and diversity in the flow of new teachers into the profession.

The breadth of the Council's influence creates a substantial public interest in the Council's work. This public interest needs to be protected through some ability for government to influence the Council's work on behalf of all New Zealanders, and, in particular, children and young people.

## Current situation

*The Education (Teaching Council of Aotearoa) Amendment Bill proposes changes to the composition of the Education Council's board*

The current Education Act 1989 gives the government two key levers for protecting the public interest in the work of the Council:

- the Minister's ability to appoint all nine members of the Council's governing board
- the requirement that the Council set out its strategic direction regularly (at least every three years), following consultation with teachers, the government and the public.

Of these two levers, the Minister's ability to appoint members of the board is considered the stronger. It allows the Minister to assess the collective skills mix of board members, to ensure that the Board is a cohesive body and that all appointments meet competency standards.

The Education (Teaching Council of Aotearoa) Amendment Bill, which was referred to Select Committee earlier this year, proposes changes to the composition and appointment process for the Council's board, increasing the number of members to 13, with seven members elected by the profession and six appointed by the Minister of Education.

This delivers on the Government's commitment to introduce a democratic process for electing the Council's board in order to increase the status of teaching. It is intended to give teachers more ownership of the Council, and build the profession's trust, confidence and constituency in the Council's work.

In making this change, the Education (Teaching Council of Aotearoa) Amendment Bill will reduce the government's ability, through the board appointments process, to protect the public interest in the work of the Council. We are therefore consulting on two changes to the Education Act 1989 to strengthen how the government can continue to express the public's interest in the Council's work.

## Proposals for change

### Requirement for the Council to consult with government on decisions relating to teacher education and registration

The Council's function of setting the standards for initial teacher education and teacher registration give it the power to determine the entry requirements for the profession, and therefore an important role in relation to the current and future supply of teachers. For example, if the Council were to decide to make postgraduate qualifications a requirement for entry to the teaching profession, this would be likely to have significant impacts on teacher supply and workforce diversity, as well as creating additional costs for the government as the funder of tertiary education and the employer of most teachers.

The Council is already required to consult with stakeholders including the government when setting out its strategic direction. We propose that this requirement should be strengthened by including a specific requirement for the Council to consult with government when considering changes to teacher education or registration requirements.

While this would give government the ability to contribute to the Council's policies regarding initial teacher education and teacher registration, it would not limit the Council's ultimate decision-making power.

### *Power for the Minister of Education to issue a Government Policy Statement on matters relating to the teaching profession to which the Council must have regard*

In an effective education system, the policies and processes that shape the teaching workforce align with the government's intentions for the wider system. We propose to establish a power in the Education Act 1989 for the Minister of Education to issue a Government Policy Statement on matters relating to the teaching profession, to which the Council must have regard in discharging its functions.

The legislation would include a requirement that the Minister must consult with the Council and other relevant stakeholders before issuing a Government Policy Statement. This would give the Council an opportunity to comment on, and contribute to, the content of the statement prior to its publication.

## How to have your say

We are seeking your views on the two proposed changes, before the government makes a decision on including them in a Bill.

You can email your submission to [consultation@education.govt.nz](mailto:consultation@education.govt.nz) or write to:

Education Consultation  
Ministry of Education  
PO Box 1666  
Wellington 6140  
New Zealand

Submissions close on **13 April 2018**.

## Personal information and confidentiality

Submissions and documents associated with the consultation process meet the definition of official information, and are therefore subject to the Official Information Act 1982.

Please clearly indicate in your submission if you do not want your name to be included in any summary of submissions that we may publish.

## Further information

If you have any questions about making a submission, or would like more information, please email [consultation@education.govt.nz](mailto:consultation@education.govt.nz).

Information on the Education (Teaching Council of Aotearoa) Amendment Bill can be found at <http://education.govt.nz/ministry-of-education/legislation/education-teaching-council-of-aotearoa-amendment-bill/>