



# A Competence Authority for teachers

**The Education Council is the professional organisation for teachers. A key element of its purpose is to champion good teaching practice, helping to raise the status of the profession.**

As part of this role the Council sometimes has to help resolve competence complaints made against teachers, and a Competence Authority has been established to do this.

The Competence Authority was originally created by the Education Council under its rules in 2016, but it did not have the powers to cancel teachers' registrations or practising certificates.

The Education Act strengthens the Competence Authority and gives it these additional powers.

## **What will the Competence Authority deal with?**

Many decisions around teachers' competence are made in agreement with the teacher and are designed to improve their competence.

The Competence Authority makes some decisions about a teacher's competence when complaints are made around their performance - how they teach or interact with students and colleagues.

The Competence Authority becomes involved when an agreement cannot be reached or when a practising certificate or registration should be cancelled on competency grounds.

The competence process is not a disciplinary process. It is about assessing whether or not a teacher is competent as measured against the Practising Teacher Criteria.

## **Who administers the Competence Authority?**

The Competence Authority is administered by the Education Council. It is a specialist body, made up of members with the right expertise to deal with competence concerns.

Most of the members are registered early childhood, primary and secondary teachers who hold practising certificates.

One member is a lay member, to make sure there is a broader perspective to the Authority's deliberations. Including a lay member on the Authority is a common, best practice characteristic of similar authorities found in other professions.

## **What powers does the Competence Authority have?**

Most of the time, the Competence Authority can impose conditions on a teacher which are designed to improve their competence. This may mean a teacher has to participate in additional professional development, or they may be put under the guidance of a senior teacher.

The Competence Authority also has the power to order cancellation of a teacher's registration, practising certificate or Limited Authority to Teach in situations where it believes the teacher cannot be suitably rehabilitated. It is extremely rare for a teacher's registration, practising certificate or Limited Authority to Teach to be cancelled on competency grounds.

## **What happens to existing complaints?**

Complaints currently being considered are unaffected.

## **Where are the Competence Authority provisions located in the Act?**

The Competence Authority provisions are sections 410AA-412A and clause 2, Part 2 of Schedule 1.

## **When do the changes take effect?**

The provisions establishing the new powers of the Competence Authority took effect on 19 May 2017. The Competence Authority will exist in its new form when the Education Council publishes the new rules that formally establish it.

## **Links to key provisions**

Section 410AA (membership): <http://www.legislation.govt.nz/act/public/1989/0080/latest/DLM7270000.html>

Section 412 (powers): <http://www.legislation.govt.nz/act/public/1989/0080/latest/DLM6526370.html>