

In confidence

Office of the Minister of Education

Chair, Cabinet Business Committee

Tomorrow's Schools Review: Terms of Reference

Proposal

- 1 This paper seeks agreement to the Terms of Reference for a review of Tomorrow's Schools. I will seek Cabinet approval for the membership of the independent taskforce that will undertake the review at the Appointment and Honours Committee (APH) on 28 March.

Executive Summary

- 2 On 14 February 2018, the Cabinet Social Wellbeing Committee, with Power to Act, agreed to the priority work programme for the education portfolio for the next three years (SWC-18-Min-0004 refers). The Minister of Education was invited to report back to Cabinet with the proposed membership and terms of reference for an independent taskforce to review Tomorrow's Schools.
- 3 The Committee also noted the need for the Minister to undertake a collaborative process with the education sector, parents, iwi, employers and wider communities that will involve getting broad support for change.
- 4 The proposed Terms of Reference (see Annex One) sets out the purpose, objectives and scope of the review. The review will commence following the appointment of the Independent Taskforce, and report back to the Minister of Education by 9 November 2018.

Background

- 5 A review of Tomorrow's Schools is a key component of the government's 2018 work programme that Cabinet has previously agreed to [SWC-18-Min-0004 refers]. The Tomorrow's Schools review is a significant undertaking that will review our current underpinning governance and regulatory framework for the New Zealand school system.
- 6 Tomorrow's Schools was introduced by the Fourth Labour Government in 1989 and its initial purpose reflected a recognition that the system was not responding to the broader changes happening in the economy. I believe that the benefits from this change have now run their course, and we need to take a fundamental look at the system.
- 7 The Taskforce is responsible for providing me with a report by 9 November 2018 that establishes any case for change and sets a direction for a 2019 detailed design work programme for the Ministry.

Terms of Reference

- 8 The objectives and scope of the review are set out in the attached Terms of Reference (Annex One).
- 9 The review will be broad-based and not constrained in its thinking, but should explore the following key themes:
 - 9.1 The ability of governance, management and administration of the schooling system to respond to the education needs of the future;
 - 9.2 The ability of schools to respond flexibly to their local communities and the need to balance this with every child's right to a responsive education at their local school, regardless of where they live;
 - 9.3 The roles of governance, management and administration in schools, and how they could better support equity in the educational progress and outcomes for all children throughout their schooling;
 - 9.4 Giving active expression to te Tiriti o Waitangi by exploring the impact of the governance, management and administrative system on the ability of schools to achieve excellence and equity for all Māori students, including Māori medium students; and
 - 9.5 The environment within which schools operate, including the roles of the Ministry, ERO, NZQA, Education Council and NZSTA in supporting schools (and the yet to be established Education Advisory Service and the Leadership Council).

Review process

- 10 The review of Tomorrow's Schools will focus on the changes we need to make to governance, management and administration in education to ensure the fitness of the school system to meet the challenges we face, and to achieve equity and excellence.
- 11 The Taskforce will do this by:
 - 11.1 Providing independent advice on the future arrangements for the governance, management and administration of schooling in New Zealand beyond 2020 to meet the needs of all New Zealanders;
 - 11.2 Consulting widely to gather a representative spectrum of stakeholder views, including children and young people, (especially those for whom the current system is not effective), the teaching profession, parents, whānau, iwi and Pasifika communities, leaders and employers, and capturing these views in the final report;
 - 11.3 Evaluating the environment within which schools operate, including the roles of the Ministry, ERO, NZQA, Education Council and NZSTA in supporting schools and whether these continue to be fit for purpose;
 - 11.4 Considering how schools interact with social and wider government services;
 - 11.5 Basing its advice on best practice, insight and sound evidence; and
 - 11.6 Evaluating the relative efficiencies and effectiveness of proposed changes and the potential impacts of change for children, schools and their communities.

- 12 The Taskforce will undertake extensive and broad-based consultation so that the full spectrum of stakeholder views including learners and teachers, but also parents, whānau, iwi and Pasifika communities and employers are captured and reflected in the final report. Particular effort will be taken to include input from children and young people currently least well served by the system. The Taskforce will also be supported and informed by a designated cross-sector advisory panel.
- 13 The significance of this review for the structure of the education system means that it may have impacts for most New Zealanders. As such, we must engage in genuine and meaningful consultation, and I expect the Taskforce will spend the next few months in gaining an understanding of our current system and engaging with all stakeholders on the themes and scope outlined in the Terms of Reference.
- 14 The report in November will then lay the groundwork for further consultation to be carried out with stakeholders in 2019 on their recommendations and detailed policy proposals.
- 15 I have considered a range of candidates for the Chair and members of the Taskforce and intend to seek the appointments of the below candidates at APH on 28 March:
 - 15.1 Bali Haque (Chair)
 - 15.2 Cathy Wylie
 - 15.3 John O'Neill
 - 15.4 Barbara Ala'alatoa
 - 15.5 Mere Berryman
- 16 The biographies of these proposed appointments are attached as Annex Two.

Consultation

- 17 The Treasury, Education Review Office, Education New Zealand, New Zealand Qualifications Authority, Te Kura: The Correspondence School, The Network For Learning and Tertiary Education Commission have been consulted. The State Services Commission, Te Puni Kokiri and the Department of Prime Minister and Cabinet have been informed.
- 18 The School Trustees' Association, Post Primary Teachers' Association, NZEI Te Riu Roa, Secondary Principals' Association, New Zealand Principals' Federation, Te Akatea New Zealand Māori Principals, and the Pasifika Principals' Association were provided an opportunity to comment on the Terms of Reference.

Financial Implications

- 19 [Withheld under Section (9)(2)(f)(iv) of the Official Information Act – maintaining confidentiality of advice]

Human Rights

- 20 This proposal is consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

Disability Perspective

- 21 This programme of work is consistent with the objectives of Article 24 of the United Nations Conventions on the Rights of Persons with Disabilities and the New Zealand Disability Strategy 2016-2026. The disability community will be keen to share its views

on the changes to the education system and have, through the New Zealand Disability Strategy, developed a draft set of indicators to report on progress at a systems level for children with disabilities. I will ensure that disability organisations are included in the cross-sector advisory group that will be supporting the Taskforce and that disabled children and young people and their parents and whanau are provided with the opportunity to provide their thoughts and experiences on our current schooling system to the Taskforce.

Treaty of Waitangi Implications

- 22 One of the key themes that the Review will focus on is giving active expression to te Tiriti o Waitangi by exploring the impact of the governance, management and administrative system on the ability of schools to achieve excellence and equity for all Māori students, including Māori medium students.

Recommendations

23 The Minister of Education recommends that the Committee:

- 1 **agree** to the attached Terms of Reference for the Review of Tomorrow's Schools that sets out the objectives and scope of the review
- 2 **note** that I intend to submit my proposed Chair and members for the Independent Taskforce to APH on 28 March
- 3 **note** that I intend to publicly release the Terms of Reference following confirmation by Cabinet.

Authorised for lodgement

Hon Chris Hipkins

Minister of Education