



# The Teachers Council reviewed

*Prepared by Executive*

## 1. INTRODUCTION

- 1.1 The 2005 Annual Conference resolved that PPTA should 'work actively to seek improvements to the Teachers Council in the form of both operational and legislative changes', and that 'in the absence of significant progress, PPTA's ongoing support for the Teachers Council be re-assessed in a further report to conference in 2006'.
- 1.2 The Council has made progress on some of the issues raised in the 2005 paper, but whether it could be defined as 'significant progress' is a harder judgement to make. Executive has deemed the issues to be raised in the report to be of such weight that they require a paper with substantive recommendations, rather than a report that is only received by annual conference.

## 2. OPERATIONAL CHANGES

- 2.1 The 2005 Conference Paper identified a need for a number of improvements to the Teachers Council's day-to-day operation. Progress on each of these is discussed below, beginning with those that can be seen to be moving in the right direction.
- 2.2 **A more proactive communication strategy**
  - 2.2.1 In October 2005, the Council published its first newsletter, titled *For Teachers*. It gives news of the Council's activities, and its research. The glossy A4 newsletter is issued to schools and early childhood centres, but at present only two go to each school, so it is unlikely that many teachers will see it in their staffrooms. The Council has budgeted for the 2007-2008 year to distribute two issues to every registered teacher, which should increase awareness of the Council's activities.
  - 2.2.2 It is also worth noting that recent indications that the Council will more publicly affirm the status and ethics of teachers are encouraging.
- 2.3 **Enhanced consultation with teachers**
  - 2.3.1 The Council has held consultation processes on a number of issues in the past year, for example, the draft graduating standards for teacher education, revisions to its English Language Requirements for registration, revisions to its policy on Limited Authorities to Teach, and revisions to the definitions of Good Character and Fitness to Teach. Most of these



consultations have followed a 'cascade' model, with relevant sector groups advised of the consultation in the expectation that they will consult further within their sector. PPTA has contributed to these consultation processes.

2.3.2 Most of the issues that the Council has been working on lately relate to specific groups. One example is the English language requirements for teachers who did their schooling and/or teacher education in a language other than English. Whereas they were not required to meet requirements when they renewed their practising certificates three years ago, they now must pass a language test. Similarly, the Council's tightening of its Limited Authorities to Teach (LAT) policy so that they cannot be indefinitely renewed without evidence that the applicant is endeavouring to complete a course of teacher education has put some PPTA members under pressure.

## **2.4 Removal of detailed disciplinary decisions from website**

2.4.1 After significant discussion with PPTA, the Council has amended its policy and is now publishing only summaries of these decisions. However, PPTA has been unsuccessful in getting the Council to remove from its website the full decisions (to the end of 2005) that were published before this issue was raised by us. Members can see the difference by going to <http://www.teacherscouncil.govt.nz/cnc/process/TCdecisions/>.

## **2.5 Less focus on bureaucratic mechanisms like standards**

2.5.1 Graduating Standards for Initial Teacher Education: In 2005, the Council started work on developing graduating standards for teacher education. Its goal was to ensure that teacher education providers graduate only high quality teachers. The reference group for this work includes teacher educators and association representatives. There has been one round of public consultation, and although PPTA wrote to teachers in charge of beginning teachers encouraging them to participate, few appear to have done so.

2.5.2 The Graduating Standards are an attempt to control the quality of pre-service teacher education in a de-regulated environment. While there are already guidelines for the approval of teacher education courses, with the Council approving and monitoring courses, there is not a strong consensus among teacher educators about what courses should provide, as shown in a major review of initial teacher education completed last year<sup>1</sup>.

2.5.3 The Ministry of Education's current review of teacher education policy, announced earlier this year, includes discussion of some new ideas, including an assessment process between initial teacher education and provisional registration (e.g. through an examination or presentation of a portfolio). This would create some further issues for PPTA.

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<sup>1</sup> Kane, R. (2005). Initial Teacher Education Policy and Practice: Final Report. Wellington: Ministry of Education.



- 2.5.4 Standards for Teacher Registration: The Council intends to move on to revision of the Satisfactory Teacher Dimensions that set the standard for recommendations for full registration or for three-yearly renewal of practising certificates. When that will begin to happen is anybody's guess at the moment.
- 2.5.5 One of the big issues is what kind of standards should be developed. The Council commissioned Lawrence Ingvarson and Elizabeth Kleinhenz of the Australian Council for Educational Research to produce a literature review. PPTA and NZEI were so concerned about the strongly pro-standards bias of the final draft that they jointly commissioned Professor Martin Thrupp, formerly working at the University of London's Institute of Education but now at Waikato University, to provide an alternative view of standards.
- 2.5.6 Thrupp's paper<sup>2</sup> was launched at PPTA's professional conference in April and makes a case for any standards promulgated by the Council to be generic rather than specified<sup>3</sup>. His reasons were: the clear links of specified standards to the neo-liberal agenda to control teachers; the absence of evidence that they in fact improve teaching quality; and their failure to take into account the complexity and highly contextualised nature of teaching.
- 2.5.7 At this stage, it appears that the Council does not have a firm position on what kind of standards it intends to write. It is of concern, though, that the graduating standards began as generic standards, and association representatives on the reference group were pushing for them to stay that way, but the draft that went out for consultation was a lot closer to Thrupp's definition of 'specified standards' (see footnote 3). The Council's legislation requires them to "determine standards for teacher registration and the issue of practising certificates [the Satisfactory Teacher Dimensions]" and to "establish and maintain standards for qualifications that lead to teacher registration [the Graduating Standards]". Without a change in that legislation, PPTA has no power to tell the Council not to write standards. Its only option of trying to persuade the Council to write generic standards.

## **2.6 Publication by the Disciplinary Tribunal of minimum detail**

- 2.6.1 No decision has yet been made about how the Disciplinary Tribunal will publish its decisions. It is thought that they will be in full, but particular care will be taken that the confidentiality of witnesses and other parties is protected.

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<sup>2</sup> Thrupp, M. (2006). Professional Standards for Teachers and Teacher Education: Avoiding the Pitfalls. Wellington: PPTA/NZEI

<sup>3</sup> Thrupp distinguishes the two as follows: "Generic standards are broad descriptors of teachers' skills and knowledge. Specified standards attempt to define more precisely what is to be taught, what would count as evidence of the quality of that teaching and what would count as meeting the standard. Specified standards are explicitly intended to allow an assessor to make judgements about teacher performance" (p.3).



## **2.7 Some new encouraging signs**

2.7.1 The Council has undertaken some constructive work aimed at strengthening the profession. This work includes: a project aimed at measuring and strengthening the programmes of advice and guidance offered to new teachers on their path to full registration; workshopping the Teachers' Code of Ethics; and together with the Ministry of Education funding research into initial teacher education. It has also been noticeable that the Council has been keen to involve PPTA and other education sector unions in an active programme of consultation at each stage of these projects.

## **3. LEGISLATIVE CHANGES**

3.1 The 2005 Annual Conference paper identified a number of possible legislative changes to the Council. These include an increase in secondary teacher and principal representation; amendment of the election rules so that a person elected as a teacher who becomes a principal during their term has to resign; changes to the requirements for police vetting from overseas countries where teachers have resided, and removal of the Ministerial right to direct the Council. PPTA has begun discussions with the Minister about what changes he would be willing to make to the Education Act, both in the short and the long term.

3.2 Recommendation 2 directs PPTA to continue to work with both the Minister and the Council to improve the day-to-day operation of the Council and the legislative framework under which it operates.

### **3.3 Looking Ahead: A teacher-led Teachers Council?**

3.3.1 A more major legislative change, one that the current Minister has appeared to advocate on a number of occasions, is for a genuinely teacher-led Council. This would be a very important way of securing the profession's interests against the possibility of a less benign political environment in the future. The Council's current membership structure and legislative framework already expose it to political interference by government, through the appointment of the Chair and three other members and through its final legislated function – 'Exercise any other functions conferred on it by this Act, or by the Minister'. Changes in that legislation could easily be rammed through parliament to the detriment of teachers.

3.3.2 Despite his public statements, the Minister does not appear to be keen to make radical change at this stage.

3.3.3 Some of the issues that would need to be considered, should the government decide to make the Council a profession-led body, include the composition of the new body, whether teacher educators would have



representation (as they have sought on the present Council), and the principles and processes by which it would operate. It would also be important to establish how the Council's right to register and de-register teachers could be preserved in legislation to ensure a secure flow of income, while at the same time removing it from government control.

- 3.3.4 Recommendation 3 should be read as a statement of principle, recognising that a final proposal would require extensive consultation with members.

#### **4. NEW ISSUES**

- 4.1 The association meets regularly with Council staff, and occasionally with the Council chairperson. Some of the more significant concerns raised by PPTA at these meetings are discussed below.

#### **4.2 Random audits of recommendations for full registration**

- 4.2.1 The Council randomly audits 10 per cent of all beginning teachers who have been recommended for full registration. Those selected must submit a portfolio of evidence accumulated during their advice and guidance programme to prove that they meet the requirements for full registration. This is on top of the long-established practice of requiring the principal to attest to their competence.
- 4.2.2 The Council claims that this is a 'high trust' model, but PPTA sees it as 'low trust' because it does not accept the recommendation of the principal, but demands further evidence to back up their judgement. The Council asks to see 'evidence' of 'reflective practice', which PPTA argues results in teachers submitting 'artefacts' that are produced for the purposes of meeting the Council's demands and give no true indication of whether the teacher is thoughtful about their practice or not. The association's view is that only the supervising teacher can tell whether a teacher is truly reflective or not, and their statement about this should suffice.
- 4.2.3 PPTA has also argued that individual teachers are being randomly submitted to a process that creates workload pressures and can result in significant disadvantage to them, should their registration be held up at a time when they are seeking to apply for other positions. Issues of fairness also need to be considered: applicants whose portfolios do not meet the Council's standards because their schools have not given them sufficient support as beginning teachers are potentially penalised for the failings of their schools.
- 4.2.4 The association believes such teachers could have grounds for taking a personal grievance against their school, if it could be shown that the school failed to ensure that their advice and guidance programme met the Council's requirements. There could also be a legal challenge to the fairness of such a random auditing process. PPTA has argued that the Council should work with schools whose advice and guidance programmes



appear to be deficient, rather than punish the applicant teachers. At the stage of writing, this argument has not prevailed.

### **4.3 Declaration of Physical and Mental Health Conditions**

4.3.1 The application forms for teacher registration require applicants to declare whether they have a physical or mental health condition that *may* affect their teaching. Many conditions (e.g. depression, asthma, epilepsy) *may*, if not well controlled, develop to the point where they begin to affect a person's teaching. Furthermore, the form then requires teachers to provide detailed information about severity, frequency and duration of the condition, treatment and progress towards recovery. This is very open to interpretation, and adds to the stress of the declaration for teachers affected. Many may feel the need to declare conditions that they would prefer to keep private so that they are not accused of concealing important information in the event that their condition worsens.

4.3.2 PPTA has recommended a more high trust process that relies on the principal's attestation that the teacher is 'fit to be a teacher'. At this point, no response to the association's submission has been received.

### **4.4 Guidance Counsellors**

4.4.1 A number of long-established guidance counsellors have been experiencing problems with the Council because of its policy of 'toughening-up' on Limited Authority to Teach (LAT). This is a complex situation as most, but not all counsellors train and serve as teachers before training as counsellors. Those who have not been teachers currently have to apply for a LAT because they are not eligible for teacher registration. This has affected a number of experienced counsellors, who were suddenly told that they would need to do a course of teacher education to retain their positions, despite the fact that they did no teaching.

4.4.2 PPTA has frequently voiced our concerns to the Council about the complexity of LAT issue. The Council intends to continue to renew annual LAT applications from such counsellors while a longer-term solution is found. It may be that a special registration status is required for this group of members, but the association is seeking to ensure that their positions are as secure as possible both now and in the future.

## **5. CONCLUSIONS**

5.1 The 2005 Conference instructed the association to inform the Council that PPTA members "lack confidence that the Council is currently providing adequate professional leadership or enhancing the professional status of teachers". Council members and staff were very concerned by this resolution, as they believed that they were doing the best that they could to



lead the profession and to enhance the professional status of teachers. PPTA members thought otherwise.

- 5.2 The Council sees its work as largely technical: developing standards, guidelines, and policies; approving and monitoring teacher education programmes; registering and de-registering teachers, and the like. PPTA has a different view of what a Teachers Council should strive for. By taking this essentially bureaucratic approach to its core task of building quality teaching, the Council is not tackling the bigger political issues that determine whether teachers are able to provide the highest quality teaching, such as inadequate staffing ratios, equitable operations funding, teacher workloads, and constant under-resourced change with unreasonable timelines.
- 5.3 Discussions with members continue to indicate that the Council is still working to achieve credibility among secondary teachers in its professional leadership role.
- 5.4 At this point in time it seems appropriate for the association to continue to scrutinise carefully the work of the Council and to seek to influence it as much as possible, while seeking an alternative legislative status for a future teacher-led Council. It is not yet the time to withdraw support for the Council, but neither has the Council yet earned an unreserved endorsement from secondary teachers.

### **Recommendations**

1. That the report be received.
2. That PPTA continue to work actively to seek improvements to the Teachers Council in the form of both operational and legislative changes.
3. That PPTA advocate strongly for a review of the legislative basis of the Teachers Council, with a view to shifting to an organisation genuinely owned by the profession.