



# Submission

on the Education and Training  
(System Reform) Amendment Bill

## 1. About PPTA Te Wehengarua

PPTA Te Wehengarua represents the majority of teachers engaged in secondary education in New Zealand, including secondary teachers, principals, and manual and technology teachers.

Under our constitution, all PPTA Te Wehengarua activity is guided by the following objectives:

- to advance the cause of education generally and of all phases of secondary and technical education in particular;
- to uphold and maintain the just claims of its members individually and collectively; and
- to affirm and advance Te Tiriti O Waitangi.

This submission is from the PPTA Te Wehengarua Executive and is on behalf of all of our members.

## 2. Introduction

PPTA Te Wehengarua strongly opposes this Bill and condemns it as an undemocratic power grab and an unprecedented politicisation of the education system. PPTA urges the Select Committee to recommend that this Bill be abandoned.

Teachers deserve to teach in, and students deserve to learn in, a system that is stable, reliable, and created around the best pedagogical evidence of educational professionals.

This Bill threatens to destabilise and undermine the education system by leaving it open to the constant change of political whims. It places politicians, not education professionals, as the designers of our curriculum and the arbitrators of how and what our rangatahi learn. It poses a deep and serious threat to the professional independence of educators and therefore exposes students to a curriculum designed to score political points rather than helping them reach their educational goals and aspirations for their lives.

PPTA Te Wehengarua also condemns the manner in which this Bill has come before the House. Teachers, parents, students and school boards had no warning or consultation on the Bill, and now find themselves having to respond to it in a relatively short window of time that encompasses the extremely busy end of year period, followed by the Christmas and New Year season. As a piece of legislation with deep and wide-reaching implications, it is unacceptable to limit consultation on these changes to the Select Committee process, and to then make accessibility to this process at best inconvenient.

After years of constant, large-scale, and often poorly implemented change, including a complete overhaul of our national qualification, this Bill represents yet another set of changes that are being done to, not with, the sector. Teachers feel that their professional skills and experience are being ignored, undermined, or misrepresented in order to make changes to the education system that are out of step with their values, priorities and expertise.

There are three elements of the Bill that are of most concern to teachers and that will be the focus of this submission:

- Giving the Minister of Education the ability to make changes to the curriculum without consulting the sector.
- Moving the professional standard setting functions from the Teaching Council to the Ministry of Education, giving further political influence over the profession.
- Further enabling privatisation of the school system through changes to the charter schools legislation.

Other elements of this legislation that more directly relate to the work of principals are addressed in the submission from the PPTA Secondary Principals' Council. Elements which attack the ability of schools to provide culturally sustaining education to students will be addressed in a submission from PPTA's Māori leadership groups.

### 3. Curriculum changes

PPTA Te Wehengarua strongly opposes the changes in the Bill that give the Minister of Education the power to directly set curriculum statements without a curriculum review or advice from the Ministry of Education.

The current national curriculum statements are underpinned by consultative and professional processes that allow the sector to contribute to the materials that will shape what teachers teach and what students learn.

The amendment gives the Minister the power to change curriculum statements at will and without review from teachers, communities, and Te Tiriti partners. This constitutes a significant increase in political influence in curriculum setting and gives unprecedented power to the Minister of Education to dictate curriculum.

In the current legislation, the Minister already holds some powers to influence curriculum through broad curriculum policy statements and can give direction to the way curriculum and assessment are managed in schools. PPTA believes this to be an appropriate level of ministerial input into the professional sphere of curriculum development. The current legislation also allows teachers and schools to tailor these curriculum policy statements to their local contexts, making the learning meaningful, relevant, and engaging to their students. The proposed changes in this Bill would give the Minister the power to make prescriptive curriculum statements about what is taught, how it is taught, and what is prioritised. Schools would no longer have the ability to adapt curriculum areas to local contexts; instead, they must develop programmes that replicate the prescribed details and priorities of the curriculum statements. This constitutes overreach that gives the Minister unprecedented, unnecessary and potentially poorly informed, control over the curriculum.

The Minister of Education is not required to be, and often is not, an experienced educator or education professional. Until this point it has been recognised that this knowledge and experience lie with educators themselves and therefore, we have trusted and acknowledged teachers' input into curriculum setting. Removing this knowledge from the profession and placing it in the political sphere has the potential to significantly disadvantage learners and their educational aspirations.

It also raises serious concerns about the potential rate of changes in the curriculum. PPTA has no objections to a five-yearly review of the curriculum, and supports the idea that regular, smaller, adaptations of the curriculum are a way to mitigate large, disruptive changes. However, we do strongly object to the Minister's ability to make changes at their discretion, not only because of the lack of consultation with the sector detailed above, but also because of the uncertainty attached to the potential for more change that comes frequently and without warning. This has serious workload implications for teachers and creates instability in the school lives of rangatahi.

The proposed changes do not align with PPTA's principles of curriculum policy development:

*Principle 1: Te Tiriti is valued and is visible.*

Centralising curriculum statements and reducing local flexibility may limit schools' ability to embed local tikanga and iwi priorities in teaching programmes. This could weaken visibility of Te Tiriti obligations in practice. Schools will need to advocate for culturally responsive approaches within nationally prescribed expectations.

*Principle 2: Learners are at the centre so that the curriculum is inclusive and equitable.*

Increased compliance and prescriptive curriculum statements reduce adaptability for diverse learner needs, especially in secondary schools with varied pathways. Teachers have less scope to tailor programmes for equity unless national statements explicitly prioritise inclusion.

*Principle 3: The curriculum is manageable, well resourced, coherent, and well communicated.*

Frequent reviews and amendments create instability and workload pressure, making curriculum less manageable and harder to communicate clearly to communities. Schools will need robust systems and resourcing to keep programmes coherent during ongoing changes.

*Principle 4: Teachers are valued as curriculum designers and their expertise and specialisation is recognised.*

Detailed expectations and priorities in curriculum statements narrow teacher discretion, reducing their role as designers and limiting professional autonomy. Professionalism could shift toward compliance rather than innovation unless implementation processes actively involve teachers and take into account their lived experiences.

*Principle 5: The curriculum is regularly reviewed through research on effective practice to make sure it is fit for purpose.*

The 5 yearly review cycle aligns with this principle and is therefore supported by PPTA, with the proviso that effective practice must be decided in conjunction with the sector, and not unilaterally by the Minister.

### 3a) The Health Curriculum

We have heard from Health and Physical Education teachers that they support proposed changes in this Bill relevant to their curriculum area. They support the change from consulting on the Health curriculum to consistent, scheduled informing of parents about the health curriculum and explicit communication of opt-out rights for sexuality education.

## 4. Teaching Council changes

### 4a) Shifting of the teaching code and standards

PPTA Te Wehengarua strongly opposes the unprecedented political control of the profession given to the Minister of Education in this Bill.

The government has identified that it has limited ability to regulate teaching practice and is seeking to increase this power through the changes in this Bill, namely:

- shifting the responsibility from the Teaching Council to the Secretary for Education for establishing and maintaining teacher registration criteria, teacher education qualification standards, teaching standards, practising certificate criteria and the code of conduct.
- Reducing the size of the Council's governing board, making ministerial appointments the majority, and only including a total of 3 elected sector members (1 ECE, 1 primary, and 1 secondary representative).

It is PPTA policy that the Teaching Council should have more, not fewer, sector representatives. It is also our policy that the Teaching Council should have reduced functions and focus on their core business. However, we believe this core business *includes* all the teacher registration criteria, standards, and the code of conduct, as it is vital that these remain with an independent body and away from political interference.

Moving the professional functions from an independent teaching body to the Ministry of Education gives the Minister vastly increased political control over the teaching profession. It allows the Minister to use teaching workforce regulation to enact government education policies and priorities. This is a significant attack on the professional independence of the teaching workforce. The standard setting and code of conduct for the teaching profession, teacher qualification and registration criteria and criteria of practicing certificates would no longer be independent. These regulations set the requirements for what teachers must know and do, how they are expected to conduct themselves professionally, and what experience they must gain and retain to hold practising certificates. It is vitally important for students, teachers, schools and communities that these standards are set by those who have experience and knowledge of the profession and the sector, and whose motivations are guided only by the desire to provide the best possible teaching resource for the education of our ākonga. Moving the setting of these standards to the Ministry has the potential to remove crucial professional knowledge and introduce external motivations into the regulation of the teaching workforce. As such it is a threat to the educational outcomes of our students.

Similarly, for those regulatory functions that do remain with the Teaching Council, the changes to the governance board represent the same threat. Drastically reducing the sector representation on the Teaching Council in favour of ministerial appointments has the potential to remove vital sector voice and introduce conflicting motivations into the regulation of the profession.

Professional bodies often embed bicultural and Treaty of Waitangi commitments in standards. There is concern that shifting responsibility to the Ministry could dilute these commitments or make them subject to political cycles.<sup>1</sup> Given the current government's track record to date of removing reference to Te Tiriti o Waitangi in legislation governing the education sector, it is easy to draw a line between those changes and the desire to remove Treaty obligations from teacher regulatory requirements.

Limiting professional-led regulation risks losing professional autonomy and ultimately may harm the reputation of New Zealand's education sector. OECD and PISA analyses show that systems with strong professional bodies and collaborative governance achieve better teacher quality outcomes than those with centralized political control.<sup>2</sup> Moving standards to the Ministry would make New Zealand an outlier among comparable jurisdictions, increasing risks of politicisation and reducing professional trust. Combining these roles may create conflicts of interest, as the Ministry would set standards and also monitor compliance, reducing independent scrutiny.<sup>3</sup> It carries the risk of bureaucratic decision-making rather than profession-led standards.

#### 4b) Initial Teacher Education

Initial Teacher Education is already described as a “contested enterprise” with ongoing debates about quality, entry standards, and programme design. Centralising control could impose uniform solutions that ignore local contexts and partnerships with schools, which are critical for effective teacher preparation.<sup>4</sup> There is no evidence that the Ministry can improve ITE quality, particularly not on its own. There needs to be a collaborative improvement plan for ITE quality that strengthens partnerships between Teaching Council, universities, and schools. The removal of the teacher education representative from the governance board would be a move in the opposite direction.

There is no confidence within the sector that the Ministry has the workforce or resources to be able to effectively undertake this work. Their implementation of the curriculum changes has been under resourced and at times ineffective. It is wasteful to spend considerable resource in moving these functions from the Teaching Council, which is equipped with the staffing and expertise, to the Ministry, which currently has neither. The sector has not called for this change; indeed when this change was first proposed earlier this year, PPTA strongly opposed it. With no evidence from the government that centralisation will improve teacher preparedness, the move seems only to serve the government's need to increase their control over the teaching workforce. The Ministry's role is primarily policy and system oversight, not professional regulation.

<sup>1</sup> Zhang, Q. (2021). Early Childhood Teacher Education in New Zealand: Facts, Values, and Uncertainties. In: Boyd, W., Garvis, S. (eds) *International Perspectives on Early Childhood Teacher Education in the 21st Century*. Springer, Singapore. [https://doi.org/10.1007/978-981-16-5739-9\\_9](https://doi.org/10.1007/978-981-16-5739-9_9)

<sup>2</sup> See the International Comparisons of Education, [International comparisons of education - GOV.UK](https://international-comparisons-of-education.gov.uk)

<sup>3</sup> Gunn, A. and Trevethan, H., “Constructing the problem of initial teacher education in Aotearoa New Zealand: policy formation and risk, 2010-2018”, *New Zealand Annual Review of Education (2019) 24*: 5-20 retrieved <https://doi.org/10.26686/nzaroe.v24i0.6322>

<sup>4</sup> Alcorn, N., “The ‘contested enterprise’ of Initial Teacher Education”, *New Zealand Annual Review of Education (2022) 28*: 15-26 retrieved <http://doi.org/10.26686/nzaroe.v28.8271>

#### 4c) Continued change

Teachers, school leaders and teacher education providers will have more change to manage in adapting to the standards and assurance processes. Teacher supply is a longstanding issue and there appears to be little planned to improve this. This rushed reform, that lacks an adequate consultation period and any kind of independent review, undermines democratic process and sector confidence.

### 5. Pathways to Privatisation

#### 5a) Schools of “serious concern”

The Bill clarifies the Ministry and Education Review Office (ERO)’s complementary roles in identifying and responding to schools of ‘serious concern’. The Bill requires the Chief Review Officer of the Education Review Office to notify both the Secretary and Minister “within 2 working days of forming a view that a school may be of serious concern.” Following this, a written report with recommendations must be provided. This allows for a significant amount of political interference in the process.

This may be interpreted in a positive way, in that it could provide more support to schools that are struggling to meet the needs of their rangatahi. However, it also opens the door for this status to be used as means by which schools are forced into privatisation by means of charter school conversion. In the United Kingdom, the equivalent of ERO (OFSTED) has been weaponised against schools and has been instrumental in the privatisation push of successive governments with the academisation of local schools. If New Zealand were to follow this process it would be an abdication of the government’s responsibility to provide free, full education of the highest quality that meets the needs of all learners.

The use of language such as “of serious concern” is problematic in that it is not clearly and transparently defined. There is no indication as to whether attendance, assessment results, behavioural interventions, another measure, or a combination of measures, will result in triggering “serious concern”. This leaves open the possibility for the government to use its own priorities as a measure for “serious concern” and as such as a lever for exerting power over schools, including forced conversion to charter school status.

#### 5b) Charter Schools – multi school contracts

The Bill allows sponsors to hold a single contract for multiple charter schools (multi-school contracts). Looking again to the United Kingdom, we see large trusts overseeing chains of schools, in a kind of “franchise” model of education that prioritises business outcomes over student learning. Large fees for Directors of these trusts move money out of the public system at the expense of teaching and learning. Business models and centralised curriculum resources take autonomy away from communities (families, students and teachers), and create a cookie cutter model – the opposite of innovation under the guise of ‘best practice’.

This is also at odds with the changes to the Education and Training Amendment Act 2024 which restricted unions from initiating bargaining for multi-employer collective agreements. Preventing workers from organising across multiple sites but allowing sponsors to own schools across multiple sites is another anti-worker and undemocratic element of the legislation of this government.

### 5c) Reverting state school after conversion to charter school

The Bill provides a pathway to revert back to the state sector for schools that were previously state schools but had converted to charter status. The mechanism outlined in the Bill involves closing the charter school and opening as a new state school under “certain circumstances”.

PPTA notes that the introduction of this provision reflects the hesitancy towards charter school status of public schools and communities. This clearly reflects the unregulated, high-risk nature of the charter schools’ experiment that is being undertaken at the expense of our public education system.

When drafting the initial Bill, no provision was made to return privatised charter schools back to public. The Regulatory Impact Statement (RIS) states that “some State schools have expressed that a lack of assurance of being able to revert and reopen as a new State school is a barrier to them converting to a charter school”. We know that the Charter School agency has been desperate to get some ‘runs on the board’ in terms of state conversions, and the introduction of the reconversion provisions seem to be an attempt to overcome the disinclination of those in the public education sector to engage with the charter school experiment.

PPTA does not oppose the introduction of a mechanism to restore former state-schools to the public system, however the legislation does not afford any protection to staff subject to this process.

The RIS details that any costs for closing a charter school (either voluntary or directed) would fall on the sponsor. Provisions for the transfer of staff in the event of a reversion are not included. If the charter school closes because they run out of funding, this could leave staff without redundancy or holiday pay.

If the charter school closes and a new state school opens, all staff will need to reapply for their positions, leaving them in a precarious employment situation that is unnecessarily uncertain and easily avoidable.

Also concerning is the incredible amount of power that the Minister holds. The Minister may choose not to re-open a state school in the event of a charter school closure. Clause 212ZEB (3)(a) allows for the Minister to opt out of reopening a school “if there are significant implications for the Crown’s finances” that do not justify the move. The Minister may choose to deny the reopening of the state school even if there was widespread community support for this to happen, depriving staff of their livelihoods and communities of their local school.

## 6. Conclusions

There are some small, though important, elements of this Bill that PPTA supports: regular 5-yearly review of the curriculum; removal of the requirement for schools to consult their communities about the health curriculum; and the ability for state schools that have been converted to charter status to return to the state system, noting that there needs to be significant improvement to the employment provisions to this process. We recommend that these changes be adopted into a future omnibus Bill.

In all other respects PPTA Te Wehengarua strongly opposes this Bill and urges the Select Committee to recommend that it be abandoned.