

Proposed new model

The Teaching Council remains an independent statutory body.

There is nothing to be gained from returning to a Crown entity, as there is no guarantee that this would alleviate the financial burden for teachers. There is, however, significant loss of independence in returning to the increased ministry governance.

Reduce the number of board members from 13 to 11.¹

Seven elected sector members (elected by each sector, accordingly):

- one teacher, and one centre leader, representing the early childhood education sector;
- one teacher, and one principal, representing the primary education sector;
- one teacher and one principal, representing the secondary education sector; and
- one initial teacher education representative.

Four appointed members:

- One ministerial appointment.
- Three union appointments, one from each education sector union (NZEI, PPTA, TEU).

The purpose and functions of the Teaching Council

Changes to the legislation would be required to remove the elements that teachers consider to be outside the remit of a regulatory body.

Purpose

Change the purpose statement to:

The purpose of a teaching registration body is to set and maintain high standards for the teaching profession through the provision of initial teacher education, registration and conduct processes. This is to ensure that all learners in early childhood, primary, secondary, and senior secondary schooling in English medium and Māori medium settings have access to safe and quality education.

Functions

Limit to:

- Setting expectations of teacher practice and behaviour (Code and Standards).

¹ PPTA advocated for the increase from 11 to 13 to include greater representation of the secondary sector. Under this model, that representation is retained while the ministerial representation is greatly reduced.

- Setting requirements for, approving and monitoring Initial Teacher Education (ITE) programmes.
- Processing teacher registration and certification applications; and
- managing complaints related to conduct and competence.

This would remove any provision for pedagogical or professional leadership, which teachers believe sits elsewhere, and not with the body that registers and regulates them. The new Education Service Agencies (“ESA’s”) will have an important role here.

Further background

Purpose and Functions

The current purpose, according to the Act:

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

Only teachers and educators can ensure safe and high quality leadership, teaching and learning. “Raising the status of the profession” does not ensure safe or quality education, and it leaves the door open for empire building by giving a coverall for any or all initiatives.

It would be a missed opportunity to leave the purpose with the open door to “raising the status” and implying that the Teaching Council has the ability to be directly involved in teaching and learning. The purpose of a professional body should focus on the standards of that profession, rather than have the legislation dictate how the job is to be done.

Functions

This is the area where many of the long term and current issues eventuate. The functions of the Teaching Council set out in the legislation are:

- Providing leadership to teachers and setting the direction for the education profession.
- Enhancing the status of teachers and education leaders.
- Setting expectations of teacher practice and behaviour (Code and Standards).
- Setting requirements for, approving and monitoring Initial Teacher Education (ITE) programmes.
- Ongoing professional development for teachers.
- Sharing best practice.
- Promoting and assuring appraisal for both accountability and development.
- Processing teacher registration and certification applications; and
- Managing complaints related to conduct and competence.

The Teaching Council is required to fulfil these functions by law.

These are unusually vague and broad for legally mandated functions, and allow for a lot of interpretation.

Under leadership that was committed to genuine consultation with the sector, these functions could be fulfilled in a way that met legal requirements and was not seen to be overstepping its remit in the eyes of teachers. However, bitter experience has shown how rare it is for leaders committed to genuine consultation to find their way to the top.

In order to protect teachers from the vagaries of Council leadership and its penchant for empire building and vanity projects, legislative change to these functions is required.

Removing functions that sit outside of initial teacher education, registration, certification, conduct and competency would ensure that the Teaching Council could not extend its mandate beyond the wishes of the teachers.

What about the money?

A “pared-down” teaching council serves two purposes. One is to keep the professional body out of the space of educational leadership where teachers do not feel it belongs. The other is to reduce costs. We cannot provide a full costing for our new model, as there are simply too many unknown variables, even with access to the full financial data.²

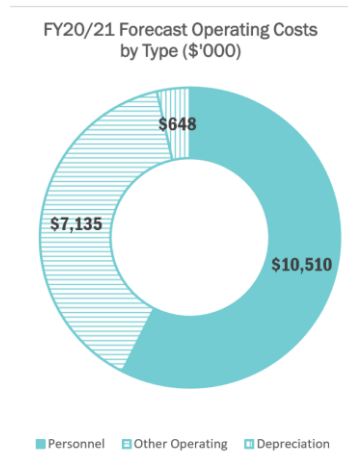
However, we can point to aspects that we believe will decrease the spending.

1. Streamlining the conduct and competency proceedings. After the 2016 law change that introduced mandatory reporting, the number of cases referred to the CAC and Disciplinary Tribunal increased and these cases were taking as long as two years to make it through the system. As this was unsatisfactory for the teachers going through these cases, PPTA advocated that they hire more legal staff, which in turn led to increased costs for teachers. The need to review this legislation and undertake a range of changes to procedure is an area in which PPTA and the current Teaching Council are in agreement and work is currently underway on these changes.³
2. An audit of salaries for managerial staff. Individual salaries are not available under the Official Information Act because of the right to privacy of the individuals. However, what we do know is that, in 2019, they paid 12 “key managerial staff” a total of \$2,248,000 which is an average of just over \$187,000 each. Given that the top of the scale for teachers is \$90,000 (as of July 1st 2020) and principals in the largest schools will receive \$161,000 (as of August 20th 2020), it is hard to justify that teachers then pay much higher salaries for council managerial staff out of their own pockets. A review of these salaries, and others that make up the 100-strong workforce, could potentially limit the costs

² This is available online: <https://teachingcouncil.nz/content/publications-reports>.

³ HX20-004 Options to improve Teaching Council Conduct processes.

associated with personnel, which are currently forecast to make up 57% of total operating costs of the council. Linking them to the teachers' and principals' pay scale may give a sense of equity and reduce costs.



3. Limiting of functions. The Teaching Council divides its operations into three areas: professional responsibility (conduct and competency), registration and contact centre (registration and certification) and professional leadership & teacher capability. It is this last area that we would be aiming to reduce or eliminate by removing reference to professional leadership in the legislation. These costs currently make up 27% of the teaching council's forecasted costs. Removal of these services (such as the production of podcasts and the delivery of workshops) and, therefore, these costs would make a significant difference to the costs that are passed on to teachers.
4. Automatic re-certification. The current Teaching Council has introduced an online system for registration called Hapori Matatū, with the intention of making the process more efficient and therefore more cost effective. While this process is by no means smooth sailing at the moment, there is no reason to believe that these problems are anything but teething issues, and that ultimately this change will be beneficial. However, it also seems to be the basis for the idea that re-certification can be managed annually without significantly increasing workload. For teachers, who know that the workload comes in the gathering of evidence against the teaching standards and not in the filling in of the forms, this is cold comfort. An obvious solution is to make the re-certification process automatic – unless there is a conduct or competency issue – in the same way that attestation is. This would allow teachers to pay annually, but remove the workload from principals and staff of providing evidence for complying with the teaching standards. Teachers want a high trust model – let's assume where there is no evidence to suggest otherwise that they are meeting these standards because they are professionals.