

29 February 2016

**New Zealand Principals' Federation (NZPF) Submission on the
PROPOSED EDUCATION COUNCIL OF AOTEAROA NEW ZEALAND RULES 2016**

To: the Education Council New Zealand

Personal Details:

Agency: New Zealand Principals' Federation (NZPF)
Designation: National Executive
Address: National Office, PO Box 25380, Wellington 6146

The New Zealand Principals' Federation (NZPF) is the largest professional organisation in New Zealand representing the interests of 2,259 principals of Primary, Intermediate, Area and Secondary Schools. Principals are from public, integrated and independent schools and are spread throughout New Zealand. NZPF aims to be the most influential advocate for school principals to enable high quality, well supported leadership for the benefit of school learners in New Zealand.

We thank you for the opportunity to comment on the Education Council Proposed Rules. We open our commentary with some general observations.

Introduction

It was predicted that with the disestablishment of the NZ Teachers' Council and establishment of the new Education Council there would be changes to the Council Rules. Inevitably the rules governing the electoral process, for example, would be deleted given that the new Education Council does not any longer draw its membership through an electoral voting system but through Ministerial appointment.

This aspect of the Education Council remains a problem for the profession. The lack of democracy in the composition of the Board leads to the profession feeling a diminished sense of ownership of the Education Council, its policies and procedures. It also affects how the profession perceives the integrity and credibility of the Education Council when the Council states its intention to be an autonomous body diligently representing the interests of the profession.

In commenting on the new or revised Rules relating to disciplinary matters, NZPF notes that its comments are made within the context of a profession that is less than confident about the ability of the Education Council membership to fully appreciate the demands and responsibilities of teachers and principals in respect of New Zealand school students.

It is understood that the Teachers' Council Rules will remain in effect until July 2016.

NZPF does not support incompetence in teaching professionals and has no tolerance for any member of the profession discrediting the profession's reputation through criminal behaviour or serious misconduct. We expect the Council to swiftly respond to any instance of criminality or misconduct,

with integrity, credibility, fairness and justice.

The new Rules proposed by the new Education Council have met with mixed reactions from principals. The shift to condensing the five sets of disciplinary rules into one Rule is seen as having merit. This move will potentially reduce repetition of Rules, help streamline and simplify them and provide greater consistency. Other aspects of the Rule changes are not so enthusiastically supported by school leaders.

NZPF expresses its disquiet at the haste with which these proposals are being advanced.

This submission will comment on:

- ❖ The Police vetting rules
- ❖ The impairment policy
- ❖ The membership of disciplinary bodies
- ❖ The complaints assessment committee
- ❖ The new competence authority.

1. Police Vetting Rules

NZPF fully supports the practice of Police vetting for all staff and for those working on school sites who may be in contact with children. We believe the safety of children is paramount in all we do and we wish to protect our reputation as a world class profession by ensuring that every child in New Zealand schools is as safe as they can possibly be.

Police vetting, is a significant service in the protection of all children attending schools. It is not a choice for schools to have staff and workers in schools vetted by Police. It is a public service and crime prevention stratagem of Police and as such falls outside of the parameters for Police cost recovery. We therefore request that the Education Council, in the interests of children and teachers, actively seeks to have all schools exempted from paying any fees associated with the Police vetting service.

2. The Impairment Policy

This change proposes to replace the Rule for impairment with a policy for impairment. NZPF supports this change and agrees that the new impairment policy simplifies the process.

NZPF agrees that in constituting the impairment committee, a health practitioner will Chair the committee and there will be two others including a registered teacher with a current practising certificate. We note the lack of requirement to have a Council member included on the impairment committee and would suggest that the third person be a registered teacher with a current practising certificate, elected by the profession.

3. Council members will no longer sit on disciplinary bodies

NZPF notes that Council members will no longer be required to sit on disciplinary bodies. We understand this is a deliberate move to free Council members so they can engage in leadership initiatives and other activities.

NZPF has always supported having Council members on the disciplinary bodies, because this 'hands-on' experience provides checks and balances and ensures that the disciplinary bodies are acting in the way that it was intended for them to act. We would never have been satisfied with the argument that furnishing the Council with reports is a sufficient substitute for actual engagement.

That said, the situation is now very different. The membership of the Council will no longer be elected by the profession and so any Council member who was assigned to a disciplinary body would not necessarily have credibility with the profession.

PO Box 25380
Wellington 6146

Level 8 The Bayleys Building
36 Brandon Street

THE MOST RESPECTED AND INFLUENTIAL ADVOCATE FOR NEW ZEALAND'S SCHOOL PRINCIPALS

ph:+64 4 471 2338
fax:+64 4 471 2339

email: office@nzpf.ac.nz
web: www.nzpf.ac.nz

NZPF suggests that an advisory board of teachers and principals be elected by the profession and that these elected professionals would be used to sit on disciplinary bodies.

4. Investigators will conduct investigations for the Complaints Assessment Committee (CAC)

NZPF does not support the move towards having paid investigators undertake investigative work for the CAC. We believe this shift has the potential to erode natural fairness and justice, the basis upon which we believe all investigations should take place.

We believe that the voice of the profession must be involved in order to bring context to the investigations of CAC and thus confidence and transparency. Having the CAC merely receive reports from a paid staff member would not satisfy NZPF and could undermine the integrity of the process.

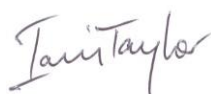
Consistent with the comments made under **3** above, NZPF prefers that professionals, elected by the profession, would be involved in the process of investigating complaints to ensure confidence and integrity in the process.

5. A new Competence Authority will be established to deal with most competence outcomes

NZPF recognises that competency matters are low level and that the proposals outlined may speed up the processes of dealing with individual competency matters. We support the idea of establishing a new Competence Authority to deal with competence outcomes, which do not result in cancellation of practising certificates.

NZPF recognises that the proposed Competence Authority would comprise five teachers with current practising certificates and applauds that suggestion. It would be even more powerful if those five teachers were elected by the profession to their positions on the Authority.

Yours sincerely



Iain Taylor
National President
iaint@nzpf.ac.nz

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