



B.29[12e]

Parliamentary paper

Institutional arrangements for training, registering, and appraising teachers

Office of the Auditor-General
PO Box 3928, Wellington 6140

Telephone: (04) 917 1500
Facsimile: (04) 917 1549

Email: reports@oag.govt.nz
Website: www.oag.govt.nz

Institutional arrangements for training, registering, and appraising teachers

Presented to the House of
Representatives under section 20 of
the Public Audit Act

June 2012

ISBN 978-0-478-38366-9 (print)
ISBN 978-0-478-38367-6 (online)

Contents

Auditor-General’s overview	3
Part 1 – Introduction	5
Part 2 – Training prospective teachers	7
What is initial teacher education?	7
The role of the New Zealand Teachers Council	7
The role of the Tertiary Education Commission	9
The role of providers of initial teacher education	9
The role of the New Zealand Qualifications Authority	9
The role of the Committee on University Academic Programmes	9
Other reviews and audits	10
Our comments about initial teacher education	10
Part 3 – Registering teachers	11
What is teacher registration?	11
General registration requirements	12
Provisional registration	13
Moving to full registration	13
Our comments about registering teachers	16
Part 4 – Appraising experienced teachers	17
The Ministry of Education’s professional standards	17
The roles of the Board of Trustees and principal	17
Education Review Office reports	19
The New Zealand Teachers Council’s role in appraising teachers	20
Our overall comments about appraising teachers	23
Appendix – Public entities and roles that train and appraise teachers	25
Figures	
1 – Number of complaints about teachers received by the New Zealand Teachers Council, 2006 to 2010	22

Auditor-General's overview

A significant objective of the education system is to have teachers who are well equipped with the necessary skills to teach in our schools. We all want effective teachers who can provide a safe learning environment and promote achievement for all New Zealanders – in short, we want high-quality teaching.

This paper describes how public entities, and people in certain roles, influence the quality of teachers through initial teacher training, teacher registration, and monitoring teachers' performance.

The paper is intended to help inform Parliament and the public at a time where there is significant interest in the quality of teachers. A Ministerial Inquiry and a Ministerial Review are looking at aspects of how teacher quality is managed. The review and inquiry might lead to changes to some of the arrangements that we describe in this paper.

At first, we set out to produce an evaluative report focusing on the performance of public entities involved in influencing teacher quality. As we worked, we learned more about the highly complex arrangements.

We reached the view that improving teacher quality within this system requires the system as a whole to work well. The significantly interdependent work of the public entities and other roles that support the quality of teachers collectively influence the quality of teachers.

We have deliberately produced a descriptive paper that we hope will help inform discussions about supporting the quality of teaching.

I thank the public entities mentioned in this paper – in particular, the New Zealand Teachers Council – for sharing information and their views with us.



Lyn Provost
Controller and Auditor-General

1 June 2012

Part 1

Introduction

Many public entities have a role in influencing the quality of teachers

- 1.1 The quality of teachers has a major influence on the performance of the education system.
- 1.2 School boards, principals, the Ministry of Education (the Ministry), the Education Review Office (ERO), and other public entities (such as providers, funders, and quality assurance agencies) all influence teacher quality. They support teachers' professional development, from initial teacher education (ITE) through induction, mentoring, and registration to becoming experienced teachers. The Appendix contains more information about how public entities support teacher quality.

The New Zealand Teachers Council plays a pivotal role

- 1.3 The New Zealand Teachers Council (the Council) influences each aspect of a teacher's career. As with most systems of professional regulation, the main formal control on quality is on entry to the profession. One of the Council's main roles is to authorise entry to the teaching profession.
- 1.4 The Council also has an important role in ensuring that there is a strong connection between the standards that it sets for registering teachers and the content and outcomes of the training courses that make up ITE.
- 1.5 The Council has implemented on-the-job training requirements for new teachers by requiring structured induction and mentoring before a teacher can progress to full registration. Every three years, it also requires confirmation from fully registered professional leaders that a teacher continues to meet the registration requirements before it renews their practising certificate.¹
- 1.6 When teachers are fully registered, they and their employer become primarily responsible for maintaining and enhancing their skills and experience. This is done with the Ministry's guidance and through the collective employment contract processes for professional development.

¹ A professional leader is: in a school, the principal; in an early childhood service, the professional leader; and, in any other educational institution, the chief executive or person occupying an equivalent position.

- 1.7 The Council also has a disciplinary function. The Education Act 1989 (the Act) requires that concerns about a teacher's capability or conduct be reported to the Council. The Council will then investigate, assess the complaints, and address any problems. This may result in remedial action or a formal disciplinary process. In serious cases, the Council can remove teachers from the register or place conditions on their practising certificates. These conditions are then noted on the register of teachers.

Part 2

Training prospective teachers

What is initial teacher education?

- 2.1 ITE is the period of time spent by a student gaining their teaching qualification. The qualification is endorsed in a sector specialisation (early childhood, primary school, secondary school teaching, or Māori-medium kura teaching).
- 2.2 ITE providers (providers) in New Zealand are universities, polytechnics, institutes of technology, wānanga, and private training establishments.

The role of the New Zealand Teachers Council

- 2.3 The Council is responsible for setting the standards for teacher registration, and also for establishing and maintaining the standards for qualifications that lead to teacher registration. This combination of functions is designed to ensure that teacher training courses that result in teacher registration meet professional requirements. The Graduating Teacher Standards set out the Council's standards for graduating teachers.
- 2.4 To help the institutions that produce and provide ITE, the Council has a formal set of requirements for ITE Programmes. Depending on whether the provider is a university or other training provider, either the Universities New Zealand Committee on University Academic Programmes (CUAP)² or the New Zealand Qualifications Authority (NZQA) must also approve the ITE programme to ensure that it meets appropriate academic standards.

Graduating Teacher Standards

- 2.5 In 2007, in consultation with teachers, who had sought more consistency in the quality of ITE graduates, the Council drew up Graduating Teacher Standards.
- 2.6 The Graduating Teacher Standards comprise seven standards and 29 indicators.
- 2.7 For the Council to approve an ITE programme, the provider must show that the programme keeps to the Graduating Teacher Standards. The Council reviews ITE programmes every six years.

Requirements for initial teacher education programmes

- 2.8 In October 2010, the Council published requirements for ITE programmes. From January 2011, the requirements have applied to new programmes and those being reviewed.

² The CUAP is the accrediting and approval arm of Universities New Zealand – Te Pōkai Tara. Universities New Zealand is responsible for the quality of university programmes, administers a range of scholarships, and represents the universities.

- 2.9 The requirements include:
- entry to the programmes;
 - how the programmes will be delivered (programmes must adequately model the skills and practices required in the context in which the teachers will teach);
 - assessing character and fitness to be a teacher; and
 - programme regulations (for example, a student teacher might have only two opportunities to pass each paper/course).
- 2.10 The Council's website states that "programme applications are also required to show how the Graduating Teacher Standards are met in the programme delivery and assessment".³

Approving, monitoring, and reviewing initial teacher education programmes

- 2.11 The Council approves an ITE programme when it is satisfied that graduates will gain the knowledge and skills to teach in their specialised sector (early childhood, primary, secondary, or Māori-medium kura) and so meet the Graduating Teacher Standards.
- 2.12 An approval panel reviews new ITE programmes to ensure that they meet the Council's requirements. A Council-only panel reviews new ITE programmes in the university sector. A joint panel Council-NZQA panel reviews new ITE programmes in the non-university sector for the first three years of the programmes' operation. After three years, a Council-only panel does the reviews.
- 2.13 The Council monitors ITE programmes to ensure that they keep meeting its requirements. In the university sector, the monitors will have contracts with the Council. In the non-university sector, NZQA will contract monitors. The Council receives a copy of the monitoring reports from the provider and NZQA (in the non-university sector) and from the Council's contracted provider (in the university sector).
- 2.14 To ensure that ITE programmes still meet the Council's requirements, during a programme's sixth year of delivery, a visiting panel reviews:
- the programme;
 - changes to the programme during the previous six years; and
 - any proposed changes to the programme.

³ See www.teacherscouncil.govt.nz.

- 2.15 The review panel is a Council-only panel for university and non-university sector programmes.
- 2.16 The Council also requires ITE providers to carry out surveys of graduates and their employers every six years.

The role of the Tertiary Education Commission

- 2.17 The Tertiary Education Commission funds tertiary education organisations that provide ITE. It also monitors the performance of the organisations that receive funding from it by measuring their performance against specified outcomes.

The role of providers of initial teacher education

- 2.18 Providers are responsible for preparing ITE programmes and getting approval from the Council and NZQA or CUAP to offer the programmes to students.
- 2.19 When an ITE programme has been approved, providers are responsible for identifying students who have the appropriate prerequisites to complete the programme successfully. The provider is then responsible for delivering the programme to the students and assessing whether students meet the programme's requirements and should graduate from it.

The role of the New Zealand Qualifications Authority

- 2.20 NZQA manages the qualifications framework, accredits institutions to deliver particular programmes, and approves and accredits individual programmes in the non-university sector.⁴
- 2.21 NZQA is also responsible for monitoring programmes in the non-university sector to ensure that providers keep to the agreed standards for approval and accreditation and that any recommendations made when the programme was approved are addressed.
- 2.22 NZQA monitors the programme until it is satisfied that the programme is working well. The provider is then expected to monitor the programme.

The role of the Committee on University Academic Programmes

- 2.23 CUAP is responsible for approving university programmes from an academic quality perspective.
- 2.24 Universities prepare programmes and submit them to CUAP for approval. CUAP reviews programmes to ensure that they meet NZQA's criteria. One of those

⁴ NZQA's framework is a comprehensive list of all quality-assured qualifications in New Zealand. NZQA assures the quality of all National Certificates, National Diplomas, National Degrees, and the New Zealand Diploma in Business. See www.nzqa.govt.nz for more information.

criteria – “Acceptability” – is the acceptability of the proposed programme’s stated aims and learning outcomes, content, and structure to the relevant professional communities.

Other reviews and audits

- 2.25 Every five to seven years, universities carry out internal reviews, which cover teacher education programmes.
- 2.26 The New Zealand Universities Academic Audit Unit carries out regular audits. These audits focus on the university’s systems and processes to ensure and improve the quality of education programmes, including ITE programmes.

Our comments about initial teacher education

- 2.27 The system described in this Part is complex, given that the tertiary education and ITE system is devolved and that there are many potential providers.
- 2.28 The Council’s task is to ensure that ITE is fit for purpose and provides what registration requires. Other organisations are responsible for the academic quality of programmes and for funding tertiary education. An important feature of the system for registering teachers is that the Council approves ITE programmes and sets the registration standards for entry to the profession.
- 2.29 The system has built-in shared roles and responsibilities. The requirement for dual approvals is designed to ensure that professional and academic requirements are met. When changes to the system – such as revised graduate standards or criteria for teacher registration – are made or proposed, the relevant entities have to co-operate effectively. Changes of this kind have to be phased in gradually, so that people part-way through their programmes are not disadvantaged. Changes to raise quality standards need to be worked into ITE programmes before they can come into effect.
- 2.30 To co-operate effectively, the public entities involved in ITE must:
- be clear about each other’s roles and responsibilities; and
 - recognise that the system requires them to collaborate.

Part 3

Registering teachers

What is teacher registration?

- 3.1 Teacher registration was introduced in 1990 and made compulsory in state kindergartens, primary schools, and secondary schools in 1996, in early childhood centres in varying stages from 2005, and for Māori-medium kura from 2006.
- 3.2 A person cannot be employed as a teacher if they are not registered. Being registered certifies that a teacher is satisfactorily trained, qualified, and suitable to be a teacher. As with all professional regulation systems, teacher registration is designed to provide assurance to future employers, parents and caregivers, and the public that the requirements for registration have been met:
- Registration was established to ensure a minimum quality standard is applied to all teachers entering or currently teaching in the general education system of New Zealand.⁵*
- 3.3 On becoming registered, a teacher gets a practising certificate. Teachers must have a current practising certificate – formal notification that their registration is current. The Act requires teachers to be “satisfactory” practitioners. Every third year, a teacher must satisfy the Council that they meet this requirement before they can renew their practising certificate.
- 3.4 There are three categories of registration:
- provisional (for teachers applying for registration in New Zealand for the first time and for teachers who have not held full registration before);
 - subject to confirmation (for experienced teachers who have not taught in an approved setting in New Zealand for two out of the previous five years); and
 - full registration (for experienced teachers who meet the specified requirements).
- 3.5 The Council sets and maintains the standards for registration and runs the registration system. This mainly involves receiving, checking, and approving applications for the different categories of registration and for practising certificates. The Council relies on information that others provide as part of the application. In particular, the endorsements and testimonials that professional leaders and mentor teachers provide are an important part of the system.

5 See www.teacherscouncil.govt.nz.

General registration requirements

- 3.6 The Act sets out the matters the Council must consider before approving the different categories of registration and issuing practising certificates.

The “good character” requirements

- 3.7 The Act requires the Council to be satisfied that the applicant is of good character and fit to be a teacher. The Council co-ordinates Police vetting of the applicant as part of these requirements.
- 3.8 The Council has a formal policy explaining how it assesses these requirements. As well as satisfactory Police vetting, the Council considers whether the applicant:
- *Displays respect for persons, for cultural and social values of Aotearoa New Zealand, for the law and for the views of others;*
 - *Upholds the public and professional reputation of teachers;*
 - *Promotes and nurtures the safety of learners within his or her care;*
 - *Is reliable and trustworthy in carrying out duties;*
 - *Is mentally and physically fit to carry out the teaching role safely and satisfactorily.⁶*
- 3.9 To assess these matters, the Council requires the application to include:
- a declaration by the applicant; and
 - a testimonial from the professional leader.

Requiring language proficiency

- 3.10 The Council has also set a policy on language proficiency as part of its assessment of whether a person is fit to teach in New Zealand. It requires applicants to include information to show that they are proficient in either English or Māori. Applicants are presumed to be proficient and to have met the requirements if they complete their ITE in New Zealand.

Requiring teachers to be trained satisfactorily

- 3.11 The Act also requires the Council to be satisfied that anyone applying for any form of registration is satisfactorily trained to teach. The Council has to take into account the applicant’s qualifications and whether they have satisfactorily completed a recognised training programme.
- 3.12 The Council requires applicants to provide original certified copies of their teaching and other qualifications as part of their application. Checking these is relatively straightforward.

6 New Zealand Teachers Council (2007), *Good Character and Fit to be a Teacher Policy*, available at www.teacherscouncil.govt.nz.

- 3.13 There are processes in place for overseas applicants who want to have their teaching qualifications assessed and recognised. The Council does this in partnership with NZQA.

Provisional registration

- 3.14 To become registered, a new teacher must first apply for provisional registration.
- 3.15 Those applying for provisional registration must supply:
- personal details;
 - education details (certified copies of teaching and other qualifications);
 - details of teaching experience (if relevant);
 - Police certificates – usually the Council provides information about applicants to the Police and directly receives the relevant information, but the applicant must provide certificates from overseas authorities if they have spent more than one year overseas within the last 10 years;
 - details of language proficiency; and
 - a declaration on other matters that might be relevant.
- 3.16 When the Council has checked the application and is satisfied that the requirements have been met, the Council enters the teacher in its register, notes that the registration is provisional, and issues a practising certificate.
- 3.17 This provisional registration expires after five years unless the Council has agreed to allow the teacher a further year of provisional registration or the registration has been upgraded to full registration.

Moving to full registration

- 3.18 To gain full registration, a teacher must be able to show that they have “satisfactory recent teaching experience” and meet the general requirements summarised in paragraphs 3.6-3.13.
- 3.19 The Act defines “satisfactory recent teaching experience” as having satisfactorily completed an uninterrupted two years – or some shorter period or periods that the Council approves – of teaching in New Zealand within the previous five years. The Council may take into account:
- the views of the professional leader of the school, early childhood service, or other educational institution; or
 - for a professional leader, their employer’s views.

- 3.20 In terms of the quantity of teaching experience, the Council's policy requires teachers to have:
- completed two years' supervised teaching after getting an approved teaching qualification – the teaching does not have to be at one learning centre but must be in minimum blocks of 10 weeks in an approved setting; and
 - worked in a teacher's position of at least 0.5 of a full-time teacher equivalent position in the general education system or in institutions that the Council has approved, excluding appointment as a teacher aide or volunteer worker.⁷
- 3.21 The Council's policy requires teachers to have been inducted and mentored (previously, advised and guided) during the two-year period of employment, which includes a structured programme in the first year and a fully registered teacher's continuing supervision throughout the second year. This supervision continues in following years. It is the responsibility of the provisionally registered teacher to keep all evidence of their induction and mentoring.
- 3.22 Teachers must meet the Council's Registered Teacher Criteria (formerly the "satisfactory teachers" criteria). They must be recommended for full registration by the supervising teacher, who must be fully registered with a current practising certificate, and endorsed by the professional leader (who, in schools, is usually the principal).

Induction and mentoring

- 3.23 The Council requires provisionally registered teachers to take part in two-year induction and mentoring to progress to full registration.
- 3.24 Since 1985, successive governments have supported induction with funding, allocating time specifically for teachers' professional development, guidelines, and resources. The main purpose of these is to help provisionally registered teachers to become effective teachers.
- 3.25 During 2009 and 2010, the Council led four pilot training projects focused on induction and mentoring of provisionally registered teachers during their first years as a qualified teacher. The projects educated teachers to purposefully observe a provisionally registered teacher's practice, give evidence-based feedback, have professional learning conversations based on data from the teacher's practice, and collect evidence for formative and summative evaluations of the teacher.
- 3.26 In 2011, building on the pilot projects, the Council issued *Guidelines for Induction and Mentoring and Mentor Teachers*. The Council targets professional leaders and

⁷ For registration purposes, the Council considers 0.5 full-time teacher equivalent to mean at least half of a full-time teaching week.

mentor teachers to raise awareness of what they should be doing to support provisionally registered teachers.

Registered Teacher Criteria

- 3.27 The Council has set Registered Teacher Criteria that are being progressively implemented from 2010 to 2013. These criteria describe the quality of teaching that all fully registered teachers are to meet and guide the learning of provisionally registered teachers. The criteria relate to two dimensions of practice:
- professional relationships and professional values; and
 - professional knowledge in practice.

How the Council assesses applications

- 3.28 In practice, the Council relies on the professional judgement of supervising teachers and professional leaders when it considers applications for full registration. The application form requires:
- the applicant to provide summary information about their teaching experience (the position, learning centre, location, dates, and hours);
 - the teacher who supervised the applicant's induction and mentoring programme to confirm that:
 - the applicant has had suitable induction and mentoring;
 - they have appraised the applicant in line with the Registered Teacher Criteria;
 - the applicant's teaching performance is satisfactory and meets the criteria; and
 - they recommend that the applicant be given full registration; and
 - the professional leader to endorse the recommendation of the supervising teacher.
- 3.29 The information and guidance on the Council's expectations of induction and mentoring programmes and the Registered Teacher Criteria should help ensure that the judgements of those recommending full registration are consistent. However, in a devolved system that relies on testimonials of supervisors and employers rather than direct assessment, there is a risk that judging will be inconsistent.

Our comments about registering teachers

- 3.30 The purpose of registration is to ensure that teachers entering the profession have the required skills and knowledge to teach (see paragraph 3.33 about the Registered Teacher Criteria's limitations).
- 3.31 In terms of contribution to quality, the Act requires the Council to apply an approach that is similar to other professional regulation regimes. The approach is designed to ensure that new teachers meet a minimum standard when they start teaching. After that, it relies on the judgement of professional leaders and employers to confirm that appropriate standards are met.
- 3.32 The Council has set policies to explain how it assesses the different elements of the registration requirements and the information that it relies on to make those assessments.
- 3.33 The Registered Teacher Criteria against which registration decisions are made do not fully specify the quantity or quality of experience and skills required. In effect, the fully registered teacher who checks that the criteria have been met assesses the quantity and quality of experience and skills required. In our view, this is a risk to the consistency of judgements made about what are considered to be "satisfactory" skills and experience to meet the criteria. To our knowledge, the inconsistency, if any, has not been directly measured at the individual level.
- 3.34 Building on the requirement for teachers to have "satisfactory" experience, the Council has taken steps towards promoting the quality of teachers, in particular with its work on induction and mentoring of new teachers. Although it has no direct power to compel new teachers to complete programmes such as those outlined in paragraph 3.25, it has set policies on how it applies the statutory criteria for registering teachers to effectively make completing such programmes a requirement for teachers.

Part 4

Appraising experienced teachers

4.1 When a teacher has become fully registered, the individual teacher and their employer (the school and, in particular, the principal) become primarily responsible for maintaining and developing the quality of that teacher's work. External organisations have a role in either:

- checking or responding to complaints; or
- general guidance to help schools make appropriate judgements.

4.2 Through its formal disciplinary process, the Council has final responsibility for removing a teacher from the register and profession, where necessary.

The Ministry of Education's professional standards

4.3 In most employment situations, performance reviews and improved performance are reflected in salary adjustments. For teachers, the link is not so direct because the Ministry controls salaries within the terms of nationally negotiated collective employment contracts.

4.4 In 1987, performance management systems were first introduced in schools and the Ministry prepared guidelines and professional standards for teachers to support those systems. In 1999, as part of the Government's negotiation of the Primary and Secondary Teachers Collective Employment Contracts, these professional standards were included in the contracts to provide a basis for annual increases in salary.

4.5 These professional standards describe three basic levels of classroom teachers:

- beginning classroom teachers – provisionally registered teachers in the first two years of teaching;
- classroom teachers – registered teachers who have generally been teaching for between three and five years; and
- experienced classroom teachers.

4.6 Leaders and managers of teachers – such as deputy principals and assistant principals (primary schools) and holders of additional responsibility (secondary schools) – must meet the classroom teacher standards and additional standards.

The roles of the Board of Trustees and principal

4.7 As the employer, the Board of Trustees is responsible for overall personnel management in a school, within the terms of the relevant collective employment contracts. Usually, the Board delegates responsibility for staff performance to the principal. Therefore, school leaders have a pivotal role in:

- appraising teachers;

- ensuring that procedures for appraising teachers are set up and work well; and
- using the results of appraisals to improve the standard of teaching.

4.8 Within the quality assurance and accountability framework, a Board of Trustees can design performance appraisal systems to suit its school and community.

4.9 Boards of Trustees must ensure that what they expect of teachers reflects teachers' main professional responsibilities. In 1997, the Ministry set major responsibilities for teachers including:

- teaching responsibilities, such as planning and preparing lessons, teaching techniques, managing classrooms, maintaining classroom environments, knowing the curriculum, and assessing students;
- school-wide responsibilities, such as contributing to curriculum leadership, school-wide planning, school goals, the effective operation of the school, pastoral activities, student counselling, and community relationships; and
- management responsibilities, such as planning, making decisions, reporting, professional leadership, and managing resources.

4.10 Because Boards of Trustees may design a system for appraising staff performance that suits their schools and community, procedures for appraising teachers vary widely.

4.11 Depending on the size of the school, principals may delegate the responsibility for appraising teachers to a professionally competent third party.

Appraising teachers

4.12 Teachers are assessed against the Ministry's professional standards contained in the collective employment contracts. Under the terms of the contracts, Boards of Trustees (through their appraisers) must follow these standards. The standards closely mirror the responsibilities set out in the Ministry's 1997 guidance for performance management systems.

4.13 The guidance for managing performance requires that appraisers be professionally competent. There is no definition of the knowledge and expertise required to be an appraiser. In most schools, the principal is the usual appraiser.

4.14 The results of appraisals are used to guide salary progression up a stepped scale. In practice, most teachers progress up the salary scale each year.

4.15 The results of teacher appraisals are also used to work out recommendations about the applications for full registration and for renewing practising certificates. These recommendations should be in line with the Registered Teacher Criteria and the *Guidelines for Induction and Mentoring and Mentor Teachers*.

- 4.16 If a teacher appraisal identifies problems, the relevant collective employment contract contains sections that outline how competence issues will be dealt with.
- 4.17 Section 139 of the Act requires some concerns to be reported to the Council. Reporting to the Council is mandatory when, despite completing a competence procedure, a teacher has not reached the required level of competence, and when a teacher resigns after the school tells them it is dissatisfied with some aspect of their competence.

Education Review Office reports

- 4.18 ERO's reports on individual schools provide evaluative information about:
- the quality of teaching of *The New Zealand Curriculum* and *Te Marautanga o Aotearoa*; and
 - the school's policies and practices that support teaching and learning.
- 4.19 As part of its review processes, ERO seeks assurance that:
- the Board of Trustees has satisfactory processes in place to manage teachers' performance; and
 - schools have suitable processes for checking and maintaining the registration of teachers.
- 4.20 ERO does not assess how well individual teachers teach. This is the responsibility of the Board of Trustees, through the principal. If, as part of a review, ERO identifies concerns about aspects of teacher practice, it seeks assurance that school managers are aware of and are addressing these concerns through appropriate performance management and professional development.
- 4.21 ERO regularly publishes National Evaluation Reports, which include comment about teacher practice related to specific government priorities.
- 4.22 ERO's National Evaluation Reports *Managing Professional Learning and Development in Primary Schools* (2009) and *Managing Professional Learning and Development in Secondary Schools* (2009) show that how well schools manage professional learning and development varies widely. A significant factor affecting how well teachers' professional learning and development is managed appears to be how well the principal leads and manages the school's professional learning and development programme.

The New Zealand Teachers Council's role in appraising teachers

Renewing practising certificates

- 4.23 The Act requires registered teachers to renew their practising certificates every three years. The Council requires teachers to provide information on their recent teaching experience and to sign a declaration on matters relevant to their fitness to teach. The Council arranges for Police vetting, and requires the principal to confirm that the teacher:
- is of good character and fit to be a teacher;
 - has satisfactory recent teaching experience;
 - has performed satisfactorily against each of the Registered Teacher Criteria; and
 - has completed satisfactory professional development.
- 4.24 When a possible problem with a fully registered teacher comes to light, the Council has other functions.

Handling complaints

- 4.25 The Act requires people who want to lodge a complaint about a teacher to complain, in the first instance, to the teacher's employer. This allows the employer to consider and respond to any performance concerns with the teacher in the usual way. In some circumstances, the Council may hear a complaint directly.
- 4.26 The Act requires employers to report issues of possible incompetence to the Council when:
- a teacher is dismissed;
 - a teacher resigns and the employer has told the Council of a competence issue in the last 12 months;
 - they receive a complaint about an employee who has left within the last 12 months;
 - they have reason to believe (after investigating) that a teacher has engaged in serious misconduct; and
 - they believe that a teacher has not reached the required level of competence, despite completing competence procedures.
- 4.27 The Teachers Council Complaints Assessment Committee (CAC) must consider any complaints or reports that the Council receives. First, the CAC must consider whether to refer the matter back to the employer. If it considers that it should not, the CAC can investigate. A CAC investigation can have several possible outcomes.

The two extremes are that the CAC could dismiss the matter or refer it to the Council's Disciplinary Tribunal for a hearing. Other options are to:

- refer the teacher to a competence review or impairment process;
- agree with the teacher and the complainant to censure the teacher; or
- suspend or impose a condition on the teacher's practising certificate until some additional supervision or training requirement has been met.

- 4.28 The emphasis of the Council's competence process is on helping the teacher to be competent.
- 4.29 Where matters are referred to the Council's Disciplinary Tribunal, the Tribunal can, after a hearing:
- dismiss the matter;
 - refer the teacher to a competence review or impairment process;
 - formally censure the teacher;
 - suspend or impose conditions on the teacher's practising certificate until specified conditions have been met;
 - impose a fine; or
 - cancel the teacher's registration.

Complaints about teachers

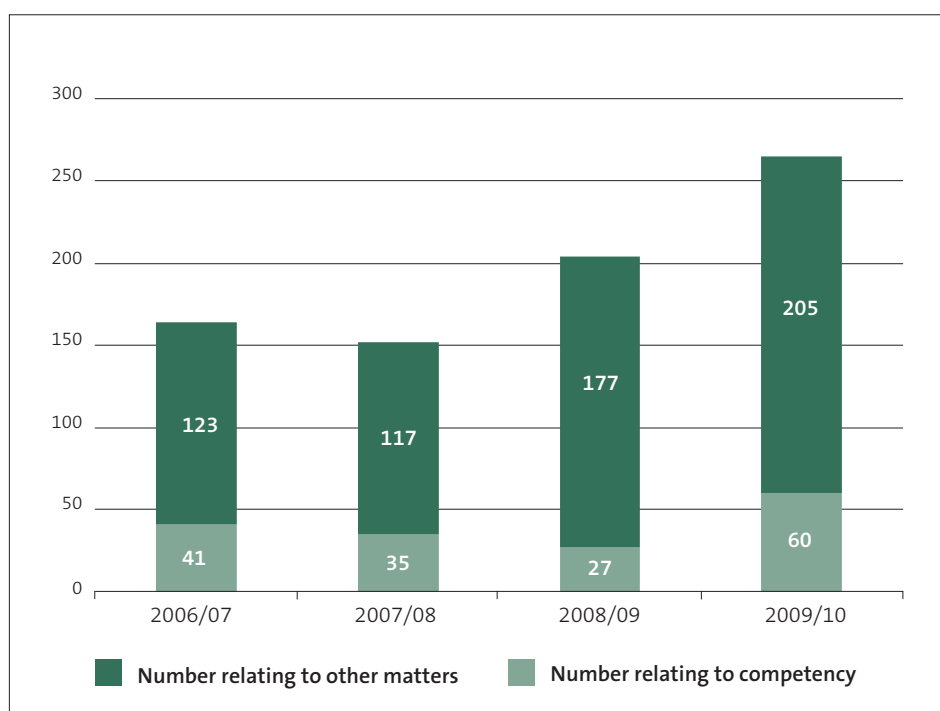
- 4.30 The system for ongoing registration of experienced teachers is similar to that of many other professions.
- 4.31 In 2010, the Council reported that it had received 265 complaints or mandatory reports under the Act during 2009/10. The CAC resolved 235 of these.⁸ Overall, the number of complaints and the numbers requiring a disciplinary response are small relative to the number of registered teachers.
- 4.32 Although the number of complaints is small, it has been increasing in recent years, as shown in Figure 1. For 2009/10, the Council received one complaint about a teacher for every 358 registered teachers (0.28% of teachers) or about one complaint for every 189 practising teachers (0.53% of teachers).⁹
- 4.33 Figure 1 shows that each year, except for 2008/09, about 20% of complaints were about competence. The number of complaints about competence is small relative to the number of registered teachers. There were such complaints about 0.06% of registered teachers or 0.12% of practising teachers in 2009/10. As a comparison,

⁸ *New Zealand Teachers Council Annual Report 2009/10*, page 8.

⁹ Assumes 95,000 registered teachers and 50,000 practising teachers. Information is from *New Zealand Teachers Council Annual Report 2009/10*, page 8, and from the Ministry of Education.

the number of complaints to the Nursing Council about the competence of nurses is similarly small (0.15% of registered nurses in 2010/11).¹⁰

Figure 1
Number of complaints about teachers received by the New Zealand Teachers Council, 2006 to 2010



Source: Annual reports of the New Zealand Teachers Council, 2007-2010.

- 4.34 The Council's Disciplinary Tribunal considers the most serious complaints against teachers. In 2009/10, 22 complaints were referred to that Tribunal – one complaint for every 4318 registered teachers or for every 2273 practising teachers.¹¹
- 4.35 The low rate of complaints against teachers about competence, or resulting in disciplinary action, is not surprising. Some complaints raised with the individual teachers or their schools will be resolved, end with remedial professional development, or never be escalated to the Council.
- 4.36 The system has safeguards designed to protect against the risk of incompetent teachers moving to another school and continuing to practice. In certain instances where there is concern about a teacher's competence, the Council is able to

¹⁰ Assumes 48,527 nurses – information from *Nursing Council of New Zealand Annual Report 2010/11*, page 35.

¹¹ Assumes 95,000 registered teachers and 50,000 practising teachers. Information is from *New Zealand Teachers Council Annual Report 2009/10*, page 8, and from the Ministry of Education.

annotate the register, even if the teacher resigns before the complaint has been formally dealt with.

Our overall comments about appraising teachers

Two sets of standards

- 4.37 There are two separate sets of professional standards. The Council uses the Registered Teacher Criteria to register teachers. These criteria are minimum standards for entry and ongoing membership of the teaching profession. The Ministry has professional standards that are used to assess teachers' pay, competence, and professional development.
- 4.38 Performance management systems in schools need to reflect both the Council's and the Ministry's standards. Some evidence suggests that, in practice, the Ministry's standards are the default standards used in schools and many early childhood centres.
- 4.39 There is a risk that there are multiple interpretations of the standards used in the system, as well as different standards being used for the same purpose. A clearer explanation and understanding of the discrete purpose of each set of standards would be helpful.
- 4.40 The OECD has said that "agreement to a coherent set of professional standards would assist in the definition and exemplification of quality".¹²
- 4.41 The main ways to improve the quality of registered and working teachers are through the arrangements that the Ministry negotiates in collective employment contracts and the performance management frameworks that schools use.
- 4.42 Employment relationships are the main means to manage and improve the quality of experienced teachers. Because of this, it is important to support principals to appraise and manage teachers' performance. This is especially so given that, because of collective employment contracts, some of the tools typically available to employers to reward and manage performance are not directly available to principals.
- 4.43 Although the Council can support better teaching by providing information, research, and guidance, one of its main roles is to remove those teachers proved to have fallen below a minimum standard.

12 Organisation for Economic Co-operation and Development (2011), *Review on Evaluation and Assessment Frameworks for Improving School Outcomes*, section 5.3, paragraph 337.

Appendix

Public entities and roles that train and appraise teachers

The New Zealand Teachers Council is the only public entity with roles spanning a teacher's career.

Public entity or role	Main functions relevant to training, registering, and appraising teachers	Main tools for:		
		Training a prospective teacher	Registering a teacher for the first time	Appraising an experienced teacher renewing registration
Committee on University Academic Programmes	To approve or refuse to approve a programme of study [Education Act 1989, sections 241 and 249]	Approves university-provided teacher training programmes		
Education Review Office	To review how applicable organisations perform in relation to the applicable services they provide [Education Act 1989, section 325]		Reports on aspects of school performance relevant to teaching quality but does not assess individual teacher quality	Reports on aspects of school performance relevant to teaching quality but does not assess individual teacher quality
Ministry of Education	From time to time, with the agreement of the State Services Commissioner, to prescribe matters that employers are to consider in assessing teachers' performance [State Sector Act 1988, section 77C] To intervene at a school if there are reasonable grounds to believe that there is a risk to the school's operation or to students' welfare or education [Education Act 1989, section 78J]		Sets professional standards for schools to use to assess teachers' progress in pay progression, competence, and professional development	Sets professional standards for schools to use to assess teachers' progress in pay progression, competence, and professional development Intervenes in a school's operation in limited circumstances

Public entity or role	Main functions relevant to training, registering, and appraising teachers	Main tools for:		Appraising an experienced teacher renewing registration
		Training a prospective teacher	Registering a teacher for the first time	
New Zealand Qualifications Authority	<p>To oversee setting of qualifications standards in relevant schools and in tertiary education</p> <p>To ensure that there are mechanisms to guarantee that secondary schools and tertiary education providers that provide programmes or teaching schemes that require national consistency have assessing and moderating systems that are fair, equitable, and consistent, and comply with the appropriate standards [Education Act 1989, section 246A]</p>	Approves non-university provided teacher training programmes	Assesses overseas teaching qualifications, in conjunction with the New Zealand Teachers Council.	
New Zealand Teachers Council	<p>To provide professional leadership</p> <p>To prepare teacher registration standards</p> <p>To issue practising certificates</p> <p>To set up and maintain standards for qualifications that lead to teacher registration</p>	<p>Sets requirements for initial teacher education qualifications</p> <p>Approves specific teacher training programmes</p> <p>Sets Graduating Teacher Standards: Aotearoa New Zealand</p>	<p>Sets Registered Teacher Criteria</p> <p>Provides guidelines for induction and mentoring.</p> <p>Issues practising certificates with a category of Provisional Registration.</p> <p>Co-ordinates Police vetting of registration applicants</p>	<p>Sets Registered Teacher Criteria</p> <p>Issues practising certificates with a category of Full Registration when the Registered Teacher Criteria are met.</p>

Public entity or role	Main functions relevant to training, registering, and appraising teachers	Main tools for:		Appraising an experienced teacher renewing registration
		Training a prospective teacher	Registering a teacher for the first time	
	<p>To approve teacher education programmes in conjunction with quality assurance agencies</p> <p>To develop a teachers' code of ethics</p> <p>Discipline</p> <p>To co-ordinate Police vetting</p> <p>To identify research priorities and promote and sponsor research</p> <p>[Education Act 1989, section 139AE]</p>			
Non-professional school boards	<p>Have complete discretion to control the management of school (unless the law provides otherwise)</p> <p>[Education Act 1989, section 75]</p>		<p>Set a school's performance management and professional development policies</p> <p>Assess how well principal effects policies</p>	<p>Set a school's performance management and professional development policies</p> <p>Assess how well principal effects policies</p>
Principals	<p>Have complete discretion to manage as they think fit the school's day-to-day administration (subject to complying with the board's general policy directions)</p> <p>[Education Act 1989, section 76]</p>		<p>Manage teachers' performance and professional development – this includes inducting and appraising teachers</p> <p>Identify and report on competence issues</p> <p>Provide recommendations for registration</p>	<p>Manage teachers' performance and professional development – this includes appraising and inducting teachers</p> <p>Identify and report on competence issues</p> <p>Provide recommendations for registration</p>

Public entity or role	Main functions relevant to training, registering, and appraising teachers	Main tools for:		Appraising an experienced teacher renewing registration
		Training a prospective teacher	Registering a teacher for the first time	
Providers of teacher education programmes, including initial teacher education	Prepare programmes of study and training to be provided at the institution (subject to any written notice from the Minister of Education) [Education Act 1989, section 223]	Provide teacher training programmes Arrange work placements for training teachers Assess students against programme requirements		
Tertiary Education Commission	Allocates funding to tertiary education organisations that have approved plans (to provide tertiary education) that meet relevant assessment criteria Monitors the performance of institutions that receive funding from the Commission [Education Act 1989, section 159F]	Funds and monitors tertiary education organisations that provide teacher training programmes		

Publications by the Auditor-General

Other publications issued by the Auditor-General recently have been:

- New Zealand Qualifications Authority: Assuring the consistency and quality of internal assessment for NCEA
- Statement of Intent 2012–2015
- Public entities' progress in implementing the Auditor-General's recommendations 2012
- Draft annual plan 2012/13
- Local government: Results of the 2010/11 audits
- Severance payments: A guide for the public sector
- Health sector: Results of the 2010/11 audits
- Central government: Results of the 2010/11 audits (Volume 2)
- New Zealand Blood Service: Managing the safety and supply of blood products
- Central government: Results of the 2010/11 audits (Volume 1)
- Education sector: Results of the 2010/11 audits
- Managing the implications of public private partnerships
- Cleanest public sector in the world: Keeping fraud at bay
- Annual Report 2010/11
- Transpower New Zealand Limited: Managing risks to transmission assets
- The Treasury: Implementing and managing the Crown Retail Deposit Guarantee Scheme
- Managing freshwater quality: Challenges for regional councils
- Local government: Improving the usefulness of annual reports
- New Zealand Transport Agency: Delivering maintenance and renewal work on the state highway network
- Government planning and support for housing on Māori land

Website

All these reports, and many of our earlier reports, are available in HTML and PDF format on our website – www.oag.govt.nz. Most of them can also be obtained in hard copy on request – reports@oag.govt.nz.

Mailing list for notification of new reports

We offer a facility for people to be notified by email when new reports and public statements are added to our website. The link to this service is in the Publications section of the website.

Sustainable publishing

The Office of the Auditor-General has a policy of sustainable publishing practices. This report is printed on environmentally responsible paper stocks manufactured under the environmental management system standard AS/NZS ISO 14001:2004 using Elemental Chlorine Free (ECF) pulp sourced from sustainable well-managed forests. Processes for manufacture include use of vegetable-based inks and water-based sealants, with disposal and/or recycling of waste materials according to best business practices.

Office of the Auditor-General
PO Box 3928, Wellington 6140

Telephone: (04) 917 1500
Facsimile: (04) 917 1549

Email: reports@oag.govt.nz
Website: www.oag.govt.nz