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**Submission to the Education and Science Select Committee
on the Education Amendment Bill (25-1)**

Introduction

The National Council of Women of New Zealand (NCWNZ) is an umbrella organisation representing 50 nationally organised societies and national members. It has 26 branches throughout the country attended by representatives of those societies and some 150 other societies as well as individual members. The Council's function is to serve women, families and the community at local, national and international levels through research, study, discussion and action.

Due to the short time available for consultation, this submission is based on responses from NCWNZ members, Corresponding Members and the Nucleus Group of the Education Standing Committee. The submission has been prepared by the Education Convenor and reviewed by the Parliamentary Watch Committee and a Board member of the National Council of Women New Zealand.

General Comments

We understand that the main purpose of the Bill is to enable information sharing between the Teachers Council and the Ministry of Education, to reduce compliance costs relating to police vetting of non-teaching staff. These key elements and a number of minor policy changes are designed to clarify, and correct drafting errors in the Act, to enhance the efficient governance and effective administration of the compulsory education and tertiary education systems.

We largely support the intention of the Bill to have only registered teachers teaching and safe people having access to children.

Specific Comments

Part 1, Clause 21 New sections 78CA-CD (pages 7-8); and 319D-319FB (pages 23-24)

Police vetting

These two sections relate to vetting of contractors in schools and early childhood centres. We are delighted that all non-teaching staff employed by schools and early childhood education services will continue to be Police vetted.

Playcentre representatives have expressed concern at this amendment. The changes mean that for non-permanent, temporary, and casual staff, the Police vetting must be obtained before the person concerned has unsupervised access to children. They suggest that Police vetting of all educators in

their early childhood centres would be untenable, as basically all the ‘teachers’ are unregistered. Even though children’s safety is paramount it would be unfortunate if this amendment inhibits parents from being involved with their children. Primary and Intermediate schools also rely on parents to help out and again parent involvement in this way is beneficial for children’s education. This therefore puts additional pressures on teachers to ensure adequate supervision is present at all times.

Another concern is that some schools may find it difficult to recruit suitably qualified teachers and may resent dismissing teachers whom they deem competent, despite their lack of registration or qualification. The Bill acknowledges these problems (p.14) but has no solution except that the benefits of having an appropriately qualified, trained and registered workforce outweigh the risks.

We fully support the proposal that the NZ Teachers Council ceases to process Police vetting, so that schools apply directly to the NZ Police to process vetting applications.

In our view, requiring vetting of contractors who have unsupervised access to children should be limited by the time the contractor is likely to be on site or have access to children – at least one full day, but more realistically 3 days. A sole contractor who comes to repair a window or service an item of equipment should not need to have a prior police vetting - nor should police time and school expense be taken up with such a cumbersome requirement.

Part 1, Clauses 22-26 Sections 78M-78Q (pages 8-10) – Statutory Manager or Corporate Body

We note the concerns expressed in the NZ Education Review (Vol 14 No. 17 May 8, No. 20 May 29 2009) and by the School Trustees Association (NZSTA) on the use of the term “body corporate” which is undefined. The change, according to the Minister of Education, Anne Tolley, is aimed at enabling a group of people such as another school board rather than an individual to be appointed to take over the governance of another school. There is concern that the term “body corporate” could mean that any voluntary or commercial enterprise could be appointed as a statutory manager and take over the governance as a school board. We recommend that the Select Committee think very carefully about how they define who can do what under this clause.

Part 1, Clause 32 New Section 110 A (pages 11-12) - School Boards of Trustees

We suggest that the Government does not limit the option to apply for permission to combine to just newly established Boards. Boards of existing schools should also be empowered to apply to combine if they so choose. This would increase the effectiveness and efficiency of our schools. Suitable regulations regarding consultation with parents and teachers will be required whether the school is newly-established or not.

Part 1, Clause 36 – New section 128A (page 12) – Information Matching.

We strongly support the proposed amendments to allow for a system that will compare teacher information held on the Ministry of Education’s payroll database with information contained in the Teachers Council’s Teachers Register to identify:

- teachers who are teaching without a current practicing certificate or authorisation;
- schools that are illegally employing these teachers
- the registration category of teachers for determining entitlement and eligibility for allowances dependent on registration type.

Concluding Comments

NCWNZ members support the intent of the proposed changes to the Act. We commend the moves to streamline and iron out procedures and processes, to reduce compliance costs relating to police vetting for schools and ECE centres and the steps to integrate the Teachers Council and MOE data systems so that only registered teachers and safe people have access to children.

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