



**Education Report:** Draft Cabinet paper - Charter schools | Kura hourua: additional legislative policy changes relating to staffing

<b>To:</b>	Hon David Seymour, Associate Minister of Education (Partnership Schools)		
<b>Cc:</b>	Hon Erica Stanford, Minister of Education		
<b>Date:</b>	3 July 2024	<b>Priority:</b>	High
<b>Security Level:</b>	In-confidence	<b>METIS No:</b>	1331952
<b>Drafter:</b>	Simon Theeuwes	<b>DDI:</b>	+64 4 463 8270
<b>Deadline Date:</b>	4 July 2024		
<b>Key Contact:</b>	Jennifer Fraser	<b>DDI:</b>	9(2)(a) [REDACTED]
<b>Seen by the Communications Team:</b>	No	<b>Round Robin:</b>	No

### Purpose of Report

This report seeks your agreement to start departmental and Ministerial consultation on the Cabinet paper: 'Charter schools | Kura hourua: additional legislative policy changes relating to staffing', attached as Annex 1.

### Recommended Actions

The Ministry of Education recommends you:

- a. **note** that the Ministry of Education has drafted a Cabinet paper with additional legislative policy changes relating to charter schools | kura hourua based on previous decisions you have made (METIS 1329280, 1331152 refers).  

**Noted**
- b. **provide** feedback on the draft Cabinet paper: 'Charter schools | kura hourua: Funding model' (Annex 1).  

**Provided**
- c. **note** in order to have the paper considered by Cabinet on 23 July, departmental and Ministerial consultation will run in parallel and a shortened consultation period (from 5 to 12 July) will be needed.  

**Noted**
- d. **agree** that the Ministry of Education consult with other departmental agencies on the Cabinet paper from 5 - 12 July.

**Agree / Disagree**

e. **agree** that your office consult with relevant Ministerial colleagues at the same time, from 5 to 12 July before lodging the Cabinet paper.

**Agree / Disagree**

f. **agree** that the Ministry of Education release this paper after Cabinet has approved the proposed legislation changes.

**Agree / Disagree**

Jennifer Fraser  
**General Manager, Schools Policy**  
**Te Pou Kaupapahere**

Hon David Seymour  
**Associate Minister of Education**  
**(Partnership Schools)**

03/07/2024

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## Background

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1. The Ministry of Education (the Ministry) has provided you with advice on two changes to the Education and Training Act 2020, in relation to charter schools:
  - a. Charter schools' access to cluster-based resourcing (METIS 1329280 refers)
  - b. How the Multi-employer Collective Agreement (MECA) provisions outlined in the Employment Relations Act 2000 will apply to charter schools (METIS 1331152 refers).
2. We have drafted the Cabinet paper attached as Annex 1 to reflect the decisions made by Ministers.

## Next steps

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3. The table below shows estimated timeframes in order to have the paper considered by Cabinet on 22 July. In order to get the changes in the Education and Training Amendment Bill, we recommend ensuring Select Committee consults on the changes.
4. We understand you have approval to take this Cabinet paper directly to Cabinet. We also have received permission to issue drafting instructions to Parliamentary Counsel Office for an amendment paper. This means the Cabinet paper with amendment paper will need to be lodged on 18 July. To meet these timeframes, departmental and Ministerial consultation will run in parallel, and a shortened consultation period (from 5 to 12 July) will be needed.
5. The departments we will be consulting are Treasury, Department of Prime Minister and Cabinet, Te Kawa Mataaho Public Service Commission, Ministry of Business, Innovation and Employment, Education Review Office, New Zealand Qualifications Authority, Te Puni Kōkiri, Te Ara Whiti The Office of Māori Crown Relations, Department of Internal Affairs, Ministry of Pacific Peoples, Ministry of Social Development, Oranga Tamariki, Whaikaha Ministry of Disabled People, Ministry of Youth Development, Ministry of Justice and the Office of the Auditor-General.
6. A new Regulatory Impact Statement will be developed for the specific policy proposals in the Cabinet paper.

Key milestone	Estimated timeframe 2024
Revised draft Cabinet paper to Minister for Ministerial consultation	5 July
Departmental and Ministerial consultation	5 to 12 July
PCO finalise drafting	15 July
Revised Cabinet paper to Minister for lodgement	17 July
Lodge Cabinet paper	18 July
Cabinet paper considered by Cabinet	22 July
Select Committee to consider consulting on the Amendment paper	23 July

## Annexes

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The following are annexed to this paper:

Annex 1: Draft Cabinet Paper - Charter schools | Kura hourua: additional legislative policy changes relating to staffing

Annex 1 withheld in full under section 9(2)(f)(iv). The final version of the cabinet paper is available on [Education.govt.nz](https://www.education.govt.nz)

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