



## Report: Workforce regulation – Teacher education programme approval functions

To:	Hon Erica Stanford, Minister of Education		
Date:	29/05/2025	Deadline:	3/06/2025
Security Level:	Sensitive	Priority:	High
From:	Paul Aitken Senior Policy Manager	Phone:	9(2)(a)
Drafter:	Ruth Cameron	METIS No:	1348704

### Why are we sending this to you?

- You have asked for advice on retaining teacher education programme approval and monitoring functions with the Teaching Council (the Council) rather than transferring these to the Education Review Office (ERO).

### What action do we need, by when?

- We are seeking your decision to retain teacher education programme approval and monitoring functions with the Council, and to strengthen these functions.
- We are seeking a signed paper by 3 June to enable amendments to the policy decisions Cabinet paper, which is scheduled to be considered by Cabinet Social Outcomes Committee (SOU) on 25 June.

### Key facts, issues and questions

- We recommend retaining teacher education programme approval and monitoring functions with the Council rather than shifting these to ERO, as previously agreed.
- The decisions you have made to shift standard setting to the Ministry and tighten the functions and governance of the Council will have a big impact. There will be a high level of disruption, capability building, and cost associated with transferring functions to ERO.
- We recommend strengthening the Council's functions and powers in legislation to better reflect what they already do operationally in relation to ITE approvals and monitoring, for example explicit monitoring of providers' delivery of approved ITE programmes.
- If you want to further strengthen the capability of the Council through greater control over elected members, you will need to revert to a fully Ministerially-appointed board, with the possibility of receiving nominations from the sector for ring-fenced roles.

## Alignment with Government priorities

1. This report aligns with your education system Priority 4: Improved teacher training: Developing the workforce of the future, including leadership development pathways.

## Background

2. You have previously agreed to transfer all standard setting functions from the Teaching Council to the Ministry of Education (METIS 1246036 refers).
3. You previously expressed a preference to transfer teacher education programme approval and quality assurance functions from the Teaching Council to ERO (METIS 1346036 refers) and agreed to make this shift alongside strengthening ERO's powers and duties to give effect to this new role (METIS 1346268 refers). Subsequent advice has focused on giving effect to these decisions and strengthening the role of the Teaching Council.
4. In reviewing the draft Cabinet paper, you have now asked for advice that reconsiders the role of the Teaching Council in delivering teacher education programme approval and quality assurance, rather than shifting these functions to ERO. This brief provides this advice and seeks key decisions required to inform updates to the draft Cabinet paper.

Reports provided to date on workforce regulation	When
Occupation regulation of teachers – Initial discussion	Completed
Occupational regulation of teachers – Case for reform and functional analysis	Completed
Occupational regulation of teachers – Advice on functions and role of the Teaching Council	Completed
Workforce regulation - Quality assurance of teacher education	Completed
Workforce regulation – Teaching Council Governance	Completed
Workforce regulation – Standards review framework	Awaiting decisions
Workforce regulation – Transition and financial impacts	Completed
<i>Draft Cabinet paper - Policy decisions for legislative amendment</i>	<i>Completed</i>
Workforce regulation – Teacher Education Programme Functions	Now

## We recommend retaining ITE functions with the Council

5. You have made several key decisions since agreeing to shift teacher education programme approval and monitoring functions to ERO. These decisions present a different picture on the likely capability of the Teaching Council to effectively deliver ITE approval and monitoring functions, and the cost and disruption of shifting functions to ERO.

## Standard setting is the strongest lever you have in lifting the quality of ITE

6. We consider standard setting (for both the teaching profession and for ITE programmes) to be the strongest lever you have in improving the ITE approval and monitoring function.



You are shifting these functions to the Ministry. From the commencement of the Bill, this will enable the Ministry to develop and issue new standards that are more specific about the skills, knowledge and capabilities that ITE providers must teach and assess before a graduate is able to register as a teacher. For example, you could make structured literacy a mandatory element of primary ITE programmes. This will provide a clearer standard for any quality assurer to structure its framework on.

### **The Teaching Council will likely be more effective and efficient than it is now**

7. Your decision to tighten the scope of the Teaching Council to remove their purpose and functions relating to lifting the status of the profession will result in a streamlined Council that should be focused on delivering its core regulatory functions.<sup>1</sup>
8. To support this, you have also agreed to reduce the Council size to 7-9 members, in addition to progressing your ETAB2 Amendment Paper which will provide for a Ministerially-appointed majority on the Council. This will allow for greater alignment with government priorities and increased strategic capability of the Council.

### **ERO will need to build significant capability and could hinder recent momentum**

9. We have been working with ERO on their proposed operating model and costs (METIS 1347918 refers). This has highlighted that this will be a significant shift in capability for ERO, coming at a time where they are also going to be building new functions in ECE licencing and monitoring, and potentially other discrete schooling sector functions.
10. The Teaching Council, despite not having a clearly defined legislative mandate to do so, has already been making progress with ITE providers in developing a stronger framework of programme approval and ongoing monitoring. These existing relationships and capabilities can't be replicated quickly and existing progress that has been made will most likely be lost while the legislative process progresses and while ERO establishes itself (noting their intention is to have quality assurance up and running by the beginning of 2027). It is not clear that the benefits ERO will bring would outweigh these costs and risks.

### **We recommend strengthening the Council's ITE functions**

11. As per previous advice, quality assurance of the teacher education and training system needs strengthening. It currently leaves too much to chance and is resulting in inconsistency in graduate quality and preparedness to teach. In addition to strengthening the standard setting functions and governance of the Council, we recommend strengthening the functions and powers of the Council in relation to ITE quality assurance.
12. The only legislative power the Council currently has is to conduct, in conjunction with quality assurance agencies, approvals of teacher education programmes.
13. The legislation doesn't reflect the reality of what the Teaching Council does as a quality assurance regulator (as set out in its operational guidelines<sup>2</sup>), and is not in-line with the legislative powers of other like-regulators.<sup>3</sup>

---

<sup>1</sup> The Teaching Council's Strategic Plan 2024-2029 is not focused on its core regulatory functions of registration/certification, ITE approval or discipline and compliance.

<sup>2</sup> [ITE-Programme-Approval-Monitoring-and-Review-Requirements.pdf](#)

<sup>3</sup> Health practitioners must monitor every NZ education institution accredited for the purposes of leading to the successful completion of a programme/degree/course accredited by the authority and revoke an institutions accreditation.

14. The Council already looks beyond programme content and considers provider ability to deliver the programme e.g. if the teaching staff have the expertise and knowledge to deliver the programme. The Council's operational guidelines state it can place conditions on programme approval, or revoke approval.
15. The Council also requires participation in key quality assurance processes, which requires the providers to supply information when required. These include:
  - 15.1. national moderation, audits and special reviews, and
  - 15.2. programme review and monitoring (every second year), including a focus on graduate outcomes.
16. These operational guidelines were only released in 2024. We understand the Council has been taking a relationship-based approach to working with providers on the new requirements and is treading carefully, especially given the limited legislated powers they have. We consider the Council could be much stronger in its quality assurance function with stronger legislative powers.
17. We recommend you expand the Teaching Council's current teacher education programme approval function to include the following:
  - 17.1. ability to place conditions on new or existing programme approvals and remove approvals, and
  - 17.2. monitoring and review of teacher education providers' delivery of approved programmes.
18. We recommend that you also strengthen the Council's powers to deliver these functions effectively by:
  - 18.1. enabling the Council to require, by written notice, and for the purpose of performing their functions, the teacher education programme provider to provide information by a specified date.
19. We recommend the legislation states that the revocation of any education institution's programme approval does not affect the registration of a teacher who qualified to practice on the basis of having a qualification from that institution. This replicates the health practitioners act and avoids any unnecessary angst about the impact of revocations.
20. We note that previously we had included additional powers for ERO to enter premises and require providers to keep records. We do not think the Council requires these powers to effectively deliver the functions above.
21. These changes do not replace the current New Zealand Qualifications Authority (NZQA) or Committee on University Academic Programmes (CUAP) role. NZQA/CUAP will still accredit providers at a general level. The Council will approve programmes and review providers' delivery of those programmes in relation to teacher education specifically. The two functions will operate in a complementary way, as they do now.
22. Your current ETAB2 Transparency and Accountability package proposal will require the Council to consult with the Secretary when conducting approvals of teacher education programmes. We recommend expanding this requirement to include consultation when placing conditions and removing approvals, as per the expanded set of functions above.

## **You have expressed interest in further governance changes**

23. As part of retaining ITE functions with the Council, you have expressed interest in further strengthening the Council's strategic capability by only allowing members of high standing in the profession to be elected, or only members who receive a significant proportion of the overall vote.



24. We don't consider there is a feasible way to constrain in legislation who the candidates to be elected members voted through a democratic process can be. Legally defining a subjective term such as 'high standing' is challenging and as voter turn-out is already low (8%), there is a risk no one would qualify for the Council.
25. We note that only three elected members will remain on the Council under your proposed downsize and that your existing changes will significantly improve the skills and capability of the Council.
26. An alternative option is to revert to a fully Ministerially-appointed board, with the possibility of ring-fencing three roles as being appointed from sector nominations. However, this will significantly reduce sector feelings of ownership over their professional body and may face strong push-back.

## Risks

27. There is a risk that leaving the ITE functions with the Teaching Council does not achieve an improvement in the ITE approval and monitoring function. However, we have no evidence to suggest that ERO delivering the functions will result in improvements either. This risk will need to be managed through strong implementation support to the Council.
28. We consider that stakeholders will oppose shifting standard setting functions to the Ministry, based on the lift and shift consultation. However, we believe stakeholder pushback will be mitigated by leaving ITE quality assurance functions with the Council rather than introducing a new player into the tertiary quality assurance system.
29. Without consulting with the Council, we can't be completely confident that the new functions and powers suggested are the best mix to enable them to deliver their role most effectively. However, we have put these together based on a review of other like-regulators and taking into account previous conversations with the Council about the limitations of their narrow legislative functions in relation to ITE.

## Financial Implications

30. We previously briefed you on the costs associated with an expanded approval and monitoring function if this function shifted to ERO (METIS 1347918 refers). 9(2)(g)(i)  
[REDACTED]
31. As noted above, the functions we are defining in legislation are already outlined in their operational policies. The Council may increase their efforts with stronger legislative backing, or in response to stronger and clearer standards. 9(2)(g)(i)  
[REDACTED]

Overall, we expect the decisions in this paper to be largely fiscally neutral.

## Next Steps

32. Subject to your decisions in this paper, we will update the draft Cabinet paper. This paper is scheduled to be considered by SOU on 25 June, which is critical to achieving tight legislative drafting timelines. From here, this means:
  - 32.1. We have requested your feedback by 3 June to enable us to have a revised Cabinet paper to you by 4 June.

32.2. Subject to your feedback, we will begin a short period of combined Ministerial and agency consultation from 6 – 12 June.

32.3. We intend to have a final Cabinet paper to you by 16 June for lodgement on 19 June.

## Recommended Actions

The Ministry of Education recommends you:

- a. **note** that decisions you have made to shift standard setting to the Ministry and to streamline and strengthen Teaching Council governance will strengthen the Council's teacher education programme quality assurance functions, and that there are 9(2)(g)(i) risks associated with shifting teacher education approval and monitoring functions to ERO. **Noted**
- b. **agree** that the Teaching Council will retain teacher education programme approval and monitoring functions and they will not be transferred to ERO. **Agree / Disagree**
- c. **agree** that the Teaching Council's current teacher education programme approval function be expanded to include the following:
- i. the ability to place conditions on new or existing programme approvals and remove approvals, and
  - ii. monitoring and review of teacher education providers' delivery of approved programmes. **Agree / Disagree**
- d. **agree** to strengthen the Teaching Council's powers to deliver these functions effectively by enabling the Teaching Council to require, by written notice, and for the purpose of performing their functions, the teacher education programme provider to provide information by a specified date. **Agree / Disagree**
- e. **agree** to include in legislation that that the revocation of any education institution's programme approval does not affect the registration of a teacher who qualified to practice on the basis of having a qualification from that institution. **Agree / Disagree**
- f. **agree** to expand the currently proposed ETB2 requirement to consult with the Secretary for Education when undertaking approvals of teacher education programmes to include when placing conditions on, or removing, programme approvals. **Agree / Disagree**
- g. **note** you have already agreed to reduce the size of the Council (METIS 1346488 refers), with elected members (a minimum of three in a 7-9 member board), which will increase the strategic capability of the Council. **Noted**

- h. **note** that we do not consider it is feasible to place restrictions in legislation on who elected members on the Council can be and that an alternative option is to remove all elected members and have a Ministerially-appointed Council, with ring-fenced positions for appointments to be made from nominations from the sector.

- i. **indicate** if you wish to remove all elected members and instate a fully Ministerially-appointed Council, with a minimum of three ring-fenced appointments to be made from nominations from the sector (*not recommended*).

↳ discuss

Board needs to be professional

disagree

Noted

Agree/Disagree

Paul Aitken

Paul Aitken

Senior Policy Manager

Te Pou Kaupapahere

29/05/2025

Hon Erica Stanford

Hon Erica Stanford

Minister of Education

1/6/25