

FIVE YEAR EXCELLENCE HORIZON

TEACHING COUNCIL OF AOTEAROA NEW ZEALAND



INDEPENDENT, EXTERNAL REVIEW

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“I think we have a moral obligation to our children that can be easily summarized: number one, protect them from harm.”

Tom Allen

“I will maintain public trust and confidence in the teaching profession by ... demonstrating a high standard of professional behaviour and integrity.”

Teaching Council, Professional Code.

"Pick Important Problems, Fix Them and Tell Everyone".

Sparrow, M.K. (2000), 'The Regulatory Craft: controlling risks, solving problems, and managing compliance' (US: The Brookings Institution Press)

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THE FIVE YEAR PERFORMANCE CHALLENGE - IN SUMMARY

The questions at the heart of this independent review are *“What are the future opportunities for the Teaching Council and, therefore, what is the strategy, operating model and organisational culture that will be required? And if the organisation is to be successful at meeting its future performance challenge, what will a positive culture look like in five years’ time? As the Teaching Council continues to operate in an increasingly complex and constrained regulatory and workforce environment, what new delivery models, behaviours and capabilities might be required?”*¹

PUBLIC TRUST AND CONFIDENCE IN THE TEACHING PROFESSION IS FUNDAMENTAL

There is nothing more precious, or more vulnerable, than a child. There are also few professions with so much power to change lives - for good or ill - as the teaching profession.

The New Zealand education system works because the vast majority of parents are willing to entrust the safety, education and social development of their children - in most cases over a period of at least 11 years, to those who work within it. This trust derives from the way standards are set for the training, behaviour and performance of educators and the way these standards and rules are administered and enforced – all areas where the Teaching Council (the Council) plays a critical role.

While public trust and confidence in the education system and in the teaching profession has traditionally been high, recent surveys suggest that it may be declining². Maintaining healthy levels of public trust and confidence requires the Council to ensure the integrity of the systems that register, certify and ensure the competence and good conduct of those within the teaching profession, as well as allied staff who work with children.

This mission requires the Teaching Council itself to demonstrate both institutional integrity and strong institutional performance.

Proposed legislative changes also imply a shift in the Council’s focus towards a more strategic emphasis on enlisting the active support of all those who can have a material impact on improving the operational competence and ethical conduct of this critical profession.

Teachers are entrusted with the power to shape our children, both as instructors and as role models. They deserve both the public’s respect for the inherent difficulty of their craft and the vigilance of their membership body and regulator to support, monitor and, where necessary, enforce professional standards.

¹ The approach outlined here is akin to that of the Public Service Commission’s (PSC) Performance Improvement Review (PIR) reviews. While this review follows a similar methodology, it is not a formal PSC review. Rather, it was self-initiated by the Board.

² A 2023 study by [Stats NZ](#) found that public trust in institutions like the education system has declined since 2021. Overall, New Zealand’s satisfaction with its education system is lower than the OECD average. Confidence in the direction of early childhood education (ECE) policy has dropped significantly, with a survey finding that in 2023, only 13% of respondents felt the government was taking ECE in the right direction.

THE TEACHING COUNCIL'S OPERATING CONTEXT IS CHANGING AND THAT CREATES HIGH VALUE OPPORTUNITIES...

As a response to many years of declining student achievement and inequitable outcomes, the New Zealand compulsory education system is on the cusp of a seismic shift in its delivery model. Foundational literacy and numeracy are now delivered in a more consistent and rigorous way. The national curriculum is moving away from an unstructured, highly flexible model which required teachers to translate loose guidelines and atomised resources into a curriculum suited to their school and community, to a more prescriptive, syllabus based approach with more consistent content and greater access to standardised resources. This change is intended in part to free up teachers to focus on their teaching practice, rather than on the development of teaching materials.

The national secondary qualification is being redesigned with the aim of securing greater coherence, pathways for vocational education, improved navigability for learners and better understanding by partners and employers. The early childhood and tertiary education sectors are also subject to change.

These extensive changes create opportunity for system agencies – of which the Council, as an independent statutory body and regulator is one – to reconfigure their strategies and operating models to improve the services they deliver to the profession and the public, provided they can do so in line with largely static baseline funding and free up resources for reinvestment.

This creates real opportunity for the Council to shift its focus: from having to respond to regulatory failures in competence and conduct, to a more proactive, stewardship-based consideration of how the teaching profession can lift standards, prevent harm before it happens and add most value to the system and New Zealand. Other system players will also need to lift their game, (such as for example, the Ministry of Education's focus on strategic workforce planning), and seem keen to do so. This creates a unique opportunity for the Council in areas such as:

- shifting its mindset, from the current focus on promoting respect for the profession and being liked by the profession to a **prevention and stewardship mindset**, focussed on improving child safety and the quality of teaching, and growing public trust and confidence in the profession
- leveraging its **data analytics** to produce more formal guidance to system leaders and participants about the trends and patterns it sees with regard to workforce composition, new teacher preparedness, teacher competency and teacher conduct. This guidance would include common scenarios, best practice insights, and references to support teachers, educational leaders and policy makers
- improving the quality of **safeguarding** children by working with teachers, fellow agencies, experts and the legal profession to make improvements, which everyone accepts need to be made, to the transparency, timeliness and predictability of the disciplinary and enforcement outcomes of its committees and tribunals
- improving the consistency of teacher preservice, probationary and in-service training and **professional development**, including leadership development, across the system through its monitoring and guidance functions; and
- using its data driven **insights and horizon scanning** to inform both the profession and the system, and working with and through other system players to help identify and target new policies, interventions and treatments for issues and risks relating to the teaching profession.

...THAT ARE WITHIN THE COUNCIL'S REACH

The Teaching Council needs to undergo a significant transformation in order to realise its full potential to capitalise on these opportunities. The opportunities cannot be realised through incremental improvements alone. I have assessed the areas for improvement outlined below against this ambitious standard: what can the Council do to fully realise this potential?

There are some good foundations from which to build. Over its history the Council has accumulated significant data assets. It has greatly improved its technical systems and processes in recent years. It has begun the process of cleaning up its data and sees the opportunity for the use of AI to help turn data into intelligence and insight.

It has also developed significant cultural competency and appears well placed to develop a new operating model that can support both the English language and Māori medium elements of the profession.

The Council's new Board is ready to take the opportunities offered by the new environment. The Council's partners and fellow agencies are keen to engage constructively in new ways of working. Principals and sector leaders want it to improve its relevance and visibility and are ready to support it to succeed.

Above all, the Council staff I met in the course of this review want to make a difference. They care passionately about the teaching profession and the wellbeing of children.

THE TEACHING COUNCIL'S CORE CHALLENGES ARE TO CLARIFY ITS ROLE WITHIN THE EDUCATION SYSTEM AND DEMONSTRATE IMPROVED VALUE AS A REGULATOR

The immediate performance challenge for the Council is to realise the opportunities outlined above. It is worth outlining these in more detail here.

SEEING THE WORLD THROUGH A PREVENTION LENS

At present the Council operates largely in tactical, reactive mode. Its teacher registration and certification teams are (rightly) focused on the provision of timely, easy to access customer service to teachers, principals and professional leaders. Its professional responsibility, or competency and conduct division, is focused on case by case efficiency and effectiveness. The Council's communications to the sector appear ad hoc and of limited visibility.

A more strategic approach would be to use the rich data resources of the Council to identify patterns and support the wider education ecosystem to learn from this data to address negative trends and manage risks. For example, the Council's registration teams can see the current trend towards increasing numbers of foreign trained teachers, which if extrapolated, will see up to 30% of the workforce foreign trained by 2035. They might also see patterns about where in the system probationary teachers are not reaching the standards required for permanent registration, or where leaders may appear to be 'tick boxing' certification applications. Any such adverse trends are likely to require management, escalation to partner agencies or the issuance of formal guidance to the sector.

Such an approach would also focus on identifying pockets of excellent practice and disseminating these insights across what is a highly distributed system of teacher and vocational training providers, schools, kura and early learning centres.

This doesn't mean that service performance is not important. But a focus on risk management and mitigation, balanced by analysis of what good looks like, will drive a longer term focus on root causes. It will help the Council to anticipate and prevent issues before harm is created. It will assist in foresight and scenario planning at system level to prevent unforeseen shocks or adverse incidents. It will support the system as a whole to learn from both negative and positive scenarios.

GROUNDING ITS WORK IN CHILD SAFETY PRINCIPLES

While Council staff are strongly focused on supporting positive outcomes for learners at all levels in the education system, not a single internal respondent expressed the Council's 'why' in safeguarding terms. From risk and social investment perspectives, the most critical function the Council performs is the prevention of harm and victimisation of children. In addition to its high level professional standards, its work should be fundamentally grounded in a set of safeguarding principles.

Again, this goes to mindset. The current focus on the mana of teachers and the profession must be properly balanced with the Council's statutory responsibilities to protect children from the sorts of competency and conduct breaches that create lifelong harm and trauma. The Council needs to lead the education sector to improve performance in preventing incompetence or misconduct while simultaneously shifting its focus from managing the consequences of misconduct to addressing the causes.

The outcomes delivered by the Council's Competence Assessment Committee and Disciplinary Tribunal also need to be accessible, timely and deliver consistent and credible outcomes. The process improvement recommendations made in this year's Martin Jenkins review need to be advanced with greater urgency and tighter accountability. In addition, the decisions made by these quasi-judicial bodies need to be well informed by the relevant crime science and jurisprudence.

IMPROVING THE CLARITY OF ITS REGULATORY APPROACH AND TOOL KIT

At present, the Teaching Council does not appear to see itself as a system regulator. In spite of its role in developing and auditing the Code, Standards and rules for the teaching profession, it has no explicit regulatory approach or framework. Its people are neither trained in regulatory tools nor selected for such expertise and experience.

This current absence of a structured framework and low internal capability in the regulatory craft means that Council actions can appear ad hoc, fragmented or non-transparent.

Regulatory frameworks are the structured systems and guidelines that establish the rules and processes for governing conduct, while regulatory principles are the fundamental concepts that guide the design and application of those frameworks.

Other membership based professional bodies, such as the Medical Association for example, ground their regulatory work in explicitly designed frameworks and principles-based approaches. The Teaching Council needs to invest the effort to make its approach to regulation explicit and to clearly and transparently communicate its approach to the regulated population.

It may decide to take a risk based approach³, in which the Council, as regulator, would:

³ For a brief overview guide to regulatory practice see <https://www.regulation.govt.nz/assets/Resource-Documents/RPE-Quick-Guide-Regulatory-Approaches-Models-and-Tools.pdf>. For a classic in the field, see also Sparrow, M. (2000). The regulatory craft: Controlling risks, solving problems and managing compliance. Washington, DC, United States: Brookings Institution.

- target resources to the highest areas of risk
- develop a framework for assessing and scoring risks based on the degree of the potential harm and the probability of it occurring
- use intelligence; that is, collect, collate and analyse information to gain a deep understanding of the risk; and
- direct effort and resources into designing solutions that modify or reduce the risk and support better outcomes.

The Council would also apply a graduated regulatory toolkit, from advice and guidance, through the gamut of interventions to enforcement and penalties.

Moving to a more structured regulatory approach will require the Council to develop a culture of learning, good evaluation tools and effective leadership that is aware of and responsive to the change horizon. Changes could include new risks, developing technologies, or changing political and public expectations.

LEVERAGING ITS DATA AND INSIGHTS INTO PRACTICAL GUIDANCE TO TEACHERS, EDUCATION LEADERS AND THE SYSTEM

In spite of its rich data and its standard setting role, the Council does not regularly issue the type of formal guidance that regulatory bodies such as WorkSafe or other professional bodies typically produce.

Regulatory guidance consists of communications that explain how the regulator interprets laws and regulations or how they plan to use their discretionary powers. For the Council, this could include the publication of insight reports on the website or formal guidance notes to the sector on matters of concern or interest. These would:

- help clarify how the Council interprets statute, regulations, the Code and Standards
- advise the profession and its leaders on how to comply with rules and what to expect from the regulatory process
- help disseminate good practice in teacher competence and conduct across the sector
- support the consistent application of regulations across the system; and
- support regulated entities by providing them with the tools and information to meet their obligations.

INFORMING TEACHER WORKFORCE STRATEGY

The Council acts as the gatekeeper to the quality of the teaching profession via its work in initial teacher registration and ongoing certification. As noted, it takes a tactical approach to this work at present.

A long standing frustration in the education system has been the absence of a long term workforce strategy. While the future responsibility for such a strategy sits with the Ministry, the Council can inform this work through its intelligence about pre and in-service training and registration and certification trends.

In turn, a mature work force strategy would help focus the Council's:

- partnerships with other agencies, (such as Immigration for offshore teacher applicants, or NZQA for mutual recognition of offshore teacher qualifications)
- feedback loops to ITEs regarding graduate readiness to teach or competence issues
- development of new or returning teacher transition programmes; and
- decision making and insights with regard to workforce composition.

CONTRIBUTING TO IMPROVEMENTS IN TEACHER TRAINING, PROFESSIONAL DEVELOPMENT AND LEADERSHIP DEVELOPMENT

Similarly, the Council's work positions it to contribute to a more strategic approach to both professional development (called PLD in the sector) and the leadership development pathways for teachers and others who work in the system, from initial preservice training, through to system leadership roles. PLD in the system tends to be fragmented, of variable quality, largely left to the individual and mostly non mandatory, with low regulation of providers.

At present, there are significant gaps in the system in:

- accountability for the delivery of a consistent framework and clearly articulated expectations for the new teacher experience during the probationary period of provisional registration, which in practice varies widely between schools, kura and ECE centres
- a standard leadership pathway, from 'lead self' in preservice training, through to 'lead teams' at middle management level, to 'lead schools' or 'lead system' at senior levels
- the identification of 'remedial' modules to target specific competency concerns; and
- the quality assurance of the PLD offered by private PLD providers, (currently undertaken by the Ministry).

While the Council would need to work with other system players, particularly the Ministry and NZQA, these appear to be areas that are presently without clear ownership in the system. They align to the Council's statutory and regulatory roles and functions. If, in future, it is to have an expanded role in such areas, additional investment would be required.

SEIZING THESE OPPORTUNITIES WILL REQUIRE SIGNIFICANT IMPROVEMENTS IN SOME AREAS

Realising these opportunities requires the Council to undergo an internal transformation of its own to make it an effective sector leader, as well as more effective in its operational roles. The most critical areas for improvement include those below.

BETTER DEFINING AGENCY PURPOSE AND REORIENTING THE STRATEGY FOR STABILITY OVER THE LONG RUN

The Council needs to be clearer about defining its purpose around the safeguarding of children and raising public trust and confidence in the teaching profession, with a clearer vision about the desired future state (child safety, respect for the profession and the quality of regulation).

At present, its strategy and outcomes framework is aligned to building the mana of the profession and appears to be underweight with regard to regulatory functions and stewardship. While improving the mana of the profession is an important thing to achieve, it should be seen as a byproduct of an effective strategy that is aligned to the agency's statutory and regulatory functions.

In practice, the Council's work programme tends to be dominated by one-off projects, and a '*what shall we do next*' attitude, as opposed to a '*where do we want to be in the future and how do we work back from that*' approach. Horizon scanning and strategic analysis need more attention.

Finally, the strategy is heavily consulted with the profession, which is a requirement in law. This creates the need to develop a matching, internal facing set of strategic enabling objectives, which describe how the organisational functions will enable system outcomes. This will help the Council focus its internal

projects and ensure it works within available resources to get the best value from its organisational investments.

ADOPTING AN INDEPENDENT BUT APOLITICAL POSITIONING

The leadership and internal culture of the Council currently has both a small and big P political flavour. Much is made by the executive team of the organisation's status as an independent statutory body that has a low proportion of Crown funding.

This appears to have created an advocacy based culture. Internally, the tone is akin to that of an advocacy body rather than a regulatory or membership body based on standards and rules. While there may be times when the Council advocates for the profession, these must be balanced with its other roles and functions.

In spite of the statutory requirement to have regard to the policy of the Government of the day, the agency does not appear to see itself as part of the wider state sector, within which the teaching profession sits.

This framing of the Council's work has led to significant lurches in organisational direction over recent years, which in turn have meant the agency is often in contentious relationships with key stakeholders.

It has also created a defensive, or even oppositional positioning at times with the Crown agencies in the education ecosystem. The noise this creates is unhelpful to public trust and confidence and risks distracting energy from the core purpose and strategy of the Council. It also hinders the stability and consistency of effort needed to implement strategy well.

Going forward, the Council needs to be unequivocally focussed on leveraging its data and insight – and its independent voice - to improve the safety of children and the long term health of the profession. This needs to be modelled internally by the Board and executive leadership team. Teachers are skilled professionals, and the agency that regulates them needs to model a similar professionalism in its internal operations.

DEVELOPING THE AGILITY TO MOVE ADEPTLY BETWEEN MEMBERSHIP AND REGULATORY ROLES

Most membership based professional bodies with regulatory functions, such as the Law Society, ICANZ⁴, the Real Estate Institute and many others, try to keep a degree of separation between their membership functions and their regulatory functions.

Further, within the regulatory function they are exact about what 'hat' they are wearing and when. For the Council, an engagement with a teacher or principal will be very different when in guidance and education mode than when in enforcement mode. Well performing membership associations pay careful attention to these internal disciplines. Modern regulators are skilled at being up front and open about which part of the regulatory framework applies to any particular engagement with the regulated parties.

Once the future Council is clearer about its purpose and strategy, it will need to clearly communicate which mode it is in, whenever it engages with the profession or wider system.

GROWING ITS ABILITY TO WORK WITH OTHERS TO INFLUENCE THE SYSTEM

Being a regulator is like being part of an ensemble cast, or an orchestra. The regulatory approach is akin to a director or conductor, while the Council uses different instruments, not all of which it owns directly,

⁴ ICANZ is the Institute of Chartered Accountants of New Zealand

to deliver the approach in practical terms⁵. It needs the ability to work effectively with and through others, in addition to its direct delivery operations. This places a premium on meaningful stakeholder engagement and relationships.

Absent clear purpose and strategy, particularly with regard to the regulatory framework and approach, the Council is struggling to know where to place its engagement efforts. While it has worked hard to improve relationships, (such as those with unions), and to collaborate effectively (such as with NZQA on ITE monitoring), some relationships appear underinvested, such as those with ERO, or the policy arm of the Ministry. The Council also has work to do here to ensure its relationships are enduring, as opposed to dependent on individuals and personalities.

Above all, the Council needs to build the trust with the profession and the system it needs if it is to influence and nudge behaviours and practices related to emerging risks and issues. Such trust needs to be based on doing its core business well.

STRENGTHENING GOVERNANCE AND LEADERSHIP

Much is made, within the Council, of the fact that some Board members are elected by the profession and some appointed by the Minister. This is an unhelpful characterisation of the Board. By whatever means members arrive there, once on the Board they must all take a professional and fiduciary approach to their governance roles.

Given it holds some direct powers under statute, the governing Board needs to be clear about which decisions it will take directly and which are delegated to management. For their part, the executive leadership team must ensure that Board members have sufficient, timely and high quality information to inform their risk assessments and decision making.

The style of executive leadership appears to be personality driven, as opposed to grounded in clear accountabilities and performance metrics, although the latter are under development. Given the scale of the internal transformation outlined in this report, the quality of governance and management will be at a premium. It will be helpful for both the Board and executive to establish charters that outline their respective priorities and protocols and that these are reviewed on a regular basis to drive continuous improvement.

STRENGTHENING INTERNAL CAPABILITY AND REORIENTING THE CULTURE

The transformation outlined here will require deeper capability in the areas of regulation, data analytics (where it could be shared with other data teams in the system) and child safety. Most internal teams will also need the capability and capacity to operate at a more strategic level.

In the short term, this is likely to require some expert supplementation to establish the new operating model and ways of working. In this regard, it is concerning that the Council has recently been losing qualified teachers and expert investigators from the staff. Longer run, a more porous workforce model, with regular secondments of education sector and other expert personnel, is likely to ensure that the Council's workforce is well grounded in both the regulatory craft and the practical realities of the teaching profession. This model would also help regulated parties better understand the work of the Council.

The cultural change required will be as demanding as it is nuanced. At present, the Council seems to want to be liked by the profession. Of course it must provide teachers with the good service they pay for

⁵ For a fuller exposition of this metaphor, see <https://www.regulation.govt.nz/assets/Resource-Documents/RPE-Quick-Guide-Regulatory-Approaches-Models-and-Tools.pdf>

and have the right to expect. But as a regulator, the Council will not always be liked. Instead, it should aim to be respected. Respected for the quality of its insight, the proportionality and timeliness of its interventions and the transparency and quality of its competence and conduct activities. From such respect will come trust, from both the profession and the public.

The extensive and transformational changes to the vision, strategy and operating model for the teaching Council suggested in this report should be explicitly planned and designed as a system, which can be progressively implemented over the five year horizon.

BACKGROUND TO THE REVIEW

This independent external review was commissioned by the Board of the Teaching Council in October 2025. It asked for a short, future focussed review of organisational performance and culture to ensure that the organisation is well positioned to execute successfully on its strategy and required outcomes over a five year horizon.

SCOPE

The approach was to create a point in time snapshot of the Council's current performance and culture, based on interviews with a sample of both internal staff and external stakeholders. The review also included a high-level desk top review of relevant documents.

Specifically, as external reviewer I:

1. Conducted one on one interviews, face to face or via Teams meetings, with Teaching Council Board members, executive leaders, staff and managers⁶
2. Conducted interviews with a selection of key external stakeholders, including school and early childhood centre leaders and principals, unions, teacher training providers and partner agencies
3. Reviewed relevant internal documentation, such as strategy, policies, workforce strategy, code of conduct, HR data, internal communications and other materials
4. Presented the report to the Minister, PSC, Board and senior management teams as required.

The elapsed time of this review was one month. Thus, it should be seen as a point in time snapshot of the Teaching Council.

All interviews were conducted on a confidential basis, with no attribution of comments and suggestions to specific individuals.

The report includes practical suggestions to improve organisational performance and culture over the five year horizon. These are couched as suggestions for the consideration of the Board. It is expected that the Teaching Council executive will later develop an Action Plan in response to the suggestions made.

LIMITATIONS

Given the abbreviated period for this review, the approach I have taken is exploratory and inquisitive. This was not an investigation. Nor was it a research brief.

In spite of the brevity of the exercise, I am confident that I have been able to identify patterns and themes that address the questions posed by the Board. There was a great deal of consistency in the themes expressed by respondents in interviews.

Each person interviewed for this review was given an assurance that individual responses would be treated in confidence and that documentary materials shared with me would be held only for the purposes of this review.

Finally I have taken a practical, as opposed to legally precise approach to the use of terms such as 'the Council', which can be used to refer to both the agency in general and the Board more specifically.

This report should be read with the above limitations in mind.

⁶ I note that I was unable to interview the Chief Executive of the Council for this Review. I also note however, that she was instrumental in supplying me with an extensive range of useful documentation for the review.

ACKNOWLEDGEMENTS

Thank you to the passionate and dedicated people who work at the Teaching Council of Aotearoa-New Zealand.

Respondents, including those from partner agencies, peak bodies, the teaching profession, school principal, professional leaders and unions, generously made time for interviews at short notice. They shared their experiences of the Council, answered challenging questions, reflected on the pressures in the future operating context, and made suggestions about what could be improved in the future.

I want to also to acknowledge the efforts of the executive support staff at the Council to manage the coordination and otherwise enable this review within a short timeframe. I am grateful to the Council's executive team for their timely and fulsome disclosure of the relevant documentation.

OPERATING ENVIRONMENT

THE PURPOSE AND FUNCTIONS OF THE TEACHING COUNCIL

The Teaching Council of Aotearoa New Zealand (the Council) is an independent professional and regulatory body for teachers in New Zealand.

The Council operates under two main pieces of legislation:

- the Education and Training Act 2020, which sets out the statutory functions of the Council, and
- the Teaching Council Rules 2016, which are secondary legislation that focus primarily on the procedures relating to professional disciplinary processes and competence evaluations.

Its statutory purpose is to **‘to ensure safe and high-quality leadership, teaching, and learning in early childhood, primary, and secondary education through raising the status of the profession.’**

Currently an amendment to this purpose is being proposed under the Education and Training (System Reform) Amendment Bill, which at the time of writing was at Select Committee stage. This proposed amendment would remove the words ‘through raising the status of the profession’ from the purpose statement.

The Council works with around 150,000 registered and certificated teachers in New Zealand, in early childhood, primary and secondary schooling and in English and Māori medium settings.

It is governed by a Council made up of 13 councillors, some of whom are elected by the profession and some who are appointed by the Minister of Education⁷.

The Council is given broad legislative functions set out in the Section 479 of the Education and Training Act 2020 (the Act), including to identify and disseminate best practices in teaching. Their functions as set out in the Act can currently be grouped into four main areas⁸:

- setting standards for and approving initial teacher education programmes (ITE)
- setting criteria for, and carrying out, teacher registration and practicing certificate functions
- setting and upholding the Standards for the Teaching Profession; and
- performing disciplinary and competence functions.

The Teaching Council is primarily funded through fees and levies, paid by registered teachers to fund the delivery of these mandatory statutory functions. By law, the Council is only allowed to recover the actual and reasonable costs of delivering those functions from teachers. This means the Council can only use its funding for functions that it is required to perform as outlined in legislation. In the 2025/6 year, total funding for the Council’s mandatory functions was \$18,122 million.

⁷ The current Education and Training (System Reform) Amendment Bill proposes changes to a total of 7, but not more than 9, members as follows:

(a) at least 4, but not more than 6, members appointed by the Minister in accordance with section 476:

(b) 3 elected members, being—

(i) 1 person representing the early childhood education sector, elected by teachers from that sector; and

(ii) 1 person representing the primary education sector, elected by teachers from that sector; and

(iii) 1 person representing the secondary education sector, elected by teachers from that sector.

⁸ A more detailed list of current statutory functions can be found at <https://teachingcouncil.nz/about-us/what-we-do/>. The list of proposed new functions under the Amendment Bill at the time of writing can be found at <https://www.legislation.govt.nz/bill/government/2025/0228/latest/LMS1546676.html>

The Council also develops and administers the **Code of Professional Responsibility (the Code) and the Standards for the Teaching Profession (the Standards)** which were launched in 2017 and have recently been updated by the Council for implementation in 2026-7. Under the proposed legislative amendment responsibility for the Code and Standards would move from the Council to the Secretary of Education.

Section 479(2) of the Act specifies the optional functions that the Teaching Council of Aotearoa New Zealand can only perform with the approval of the Minister of Education.

These optional functions are related to leadership of the profession, enhancing the status of education leaders, and identifying and disseminating best practice in education leadership.

The fees and levy paid by teachers cannot be used to fund the Teaching Councils optional statutory functions under S479(2) – these must be paid for by government.

THE EDUCATION SYSTEM

WORLD

The OECD's regular global trends report in education⁹ identified a number of critical megatrends to which all education systems must respond. Taken together, these presage a volatile operating context for teachers and education system leaders in all countries. They include:

Global Conflict and Co-operation:

- rising geopolitical tensions and conflicts strain public spending, impacting education budgets.
- migration driven by conflict and climate change requires education systems to support social cohesion and skills development for newcomers.
- education can foster peace, resilience, and ethical frameworks to address global challenges.

Work and Progress:

- Technological advancements like AI and sustainability imperatives are transforming labour markets, creating demand for new skills.
- Education must adapt to support lifelong learning, upskilling, and reskilling for green and digital jobs.
- Young people prioritise work-life balance and flexibility, challenging education to foster resilience and independence.

Voices and Storytelling:

- Declining voter turnout and rising protests highlight dissatisfaction with traditional political processes.
- Education can promote active citizenship, media literacy, and critical thinking to address disinformation and polarisation.
- Digital technologies empower diverse voices but require education to balance inclusivity and responsible digital engagement.

Bodies and Minds:

- Mental health concerns are rising, requiring education systems to support socio-emotional learning and well-being.

⁹ www.oecd.org/content/dam/oecd/en/publications/reports/2025/01/trends-shaping-education-2025_3069cbd2/ee6587fd-en.pdf

- New health challenges like digital addictions and environmental health threats demand education to foster awareness and behavioural change.
- Advances in medicine and technology offer opportunities for inclusive education, especially for students with disabilities.

Cross-Cutting Themes:

- **Technology:** AI and digital tools are reshaping education, offering personalised learning but raising concerns about equity and privacy.
- **Sustainability:** Education must promote environmental literacy and sustainable practices to address climate change and planetary health.
- **Inequality:** Rising social and economic disparities challenge education systems to foster inclusion, equity, and social cohesion.

These trends emphasise the need for education systems – and teachers of all kinds - to be adaptable, inclusive, and forward-thinking to prepare learners for a rapidly changing world.

NEW ZEALAND

As noted above, the New Zealand education system currently has a high change tempo. Key changes impacting the Council’s regulated populations include the following:

- The national curriculum is undergoing a staged refresh aimed at making what students learn clearer and more knowledge-rich across Years 1–10. The new curriculum will be more content specific and prescriptive, in part to ensure greater consistency in learner experiences.

The Ministry has migrated curriculum material to a new Tāhūrangi platform and signalled that resources will be updated as the refreshed curriculum is rolled out. The Government released draft materials and commentary in 2025 as part of this process.

The curriculum refresh emphasises clearer year-by-year expectations and a stronger focus on measurable achievement.

It also provoked public debate about how Te Tiriti o Waitangi, te ao Māori and Aotearoa’s histories are represented in the revised materials.

- NCEA and national qualification arrangements are changing under a multi-year reform programme. The New Zealand Qualifications Authority (NZQA) and the NCEA Change Programme have implemented new arrangements from 2024 onward — including revised achievement standards, a clearer emphasis on literacy and numeracy (and te reo Matatini / pāngarau equivalents), and changes to how levels and credits are structured and assessed.

Several subject standards were updated for assessment in 2025 and further standards and moderation changes are being phased in to align qualifications with the refreshed curriculum intent.

- On the regulatory and system side, the Government is progressing multiple amendments to the Education and Training Act and related regulatory packages intended to strengthen oversight and implement new policy settings across schooling and tertiary education.

Recent and pending legislative work (including Education and Training Amendment Bills and the 2024 Regulatory Systems changes) touches on matters from attendance and governance to tertiary and vocational settings.

- Separately, the vocational education landscape is being redesigned toward regionally led provision after government decisions in 2024–2025 to reconfigure polytechnic arrangements.¹⁰ Schools will also offer additional vocational training pathways.

Professional regulation and workforce settings are also evolving. The Teaching Council has approved new **2026 Standards for the Teaching Profession** (set to take formal effect from 1 January 2027) and there have been short-term policy moves such as government funding to cover teacher registration fees through to 2028.

At the same time, there have recently been political and media developments proposing to change the Teaching Council's remit and governance, which could alter how professional standards and complaints are handled going forward. These regulatory shifts occur against ongoing workforce pressures — recruitment, retention and teacher workload remain prominent policy issues.

Operationally, training providers, schools, kura and early learning centres continue to grapple with teacher workforce shortages, administrative and compliance requirements of growing complexity, and the practical work of implementing new standards and assessment models — all of which seem set to dominate system leadership and policy attention in the near term.

¹⁰ See the proposed Amendment Bill at [Legislation.govt.nz](https://legislation.govt.nz) Of relevance are proposed amendments to part 5.

PERFORMANCE CHALLENGE: PURPOSE AND STRATEGY

In this section I reflect the key themes from interviewees with regard to the current vision/purpose, strategy and outcomes metrics for the Council.

Refreshing the Council's purpose, vision and strategy is fundamental to successfully addressing the issues raised in this review.

VISION

The current vision or purpose statement for the Council is **'Strengthening the mana of teaching, so teachers can change lives.'**

Several respondents felt that this formulation was slightly problematic. A few suggested that while mana was a term often associated with respect, dignity and collective strength, it could also mean power, which was less appropriate in this professional context. Others suggested that the statement did not quite reflect the full breadth of the agency's statutory mandate to ensure **safe and high-quality leadership, teaching, and learning** for children and young people.

To these concerns I would add my own observation that the ambiguity of the current vision statement appears to create constant noise within the system (which was reflected amongst interviewees) about the need for the Council to identify and focus on 'core business' or 'stay in its lane'.

The current vision appears to be reflective of an implicit desire by the Council to be liked and seen as relevant by the profession. It undercooks both the regulatory function in general and the safeguarding and professional development functions in particular. In such an intensely mission focussed agency, it was surprising to me how few internal respondents mentioned regulation or safety in their informal descriptions of the purpose. *'They've tilted too far over to advocacy and ra ra'*, said one interviewee. *There is little conceptual clarity about their role of independent regulator.'*

This is in marked contrast to, for example, the vision statement of the New Zealand Medical Council, which is: *'We serve Aotearoa New Zealand by protecting public health and safety. We do this by setting and promoting standards for the medical profession'*. This Council also combines membership and regulatory functions.

So too does the New Zealand Law Society, with a vision to act as *'Kaitiaki of an exemplary legal profession in Aotearoa'*, both in supporting the profession through membership services, and through using its regulatory functions to protect consumers and build public trust and confidence in the legal profession.

While improving the mana of the profession is an important thing to achieve, it should be seen as a byproduct of an effective strategy that is aligned to the agency's statutory and regulatory functions. *Leading* with this notion appears slightly naïve to me.

Worse, if Council staff view the world primarily through the lens of mana enhancement, it may mean that other critical functions – like child safeguarding - are unintentionally downplayed. Words matter.

One of the challenges here is that, unlike many state sector agencies, the Council has worked hard to drive a strong golden thread between vision and purpose, its strategy and operating model. The purpose is well known and resonates deeply with staff. In its current form, however, it may not be sufficient to cover the Council's obligations and opportunities.

I suggest that the Board and executive work inclusively with Council staff to rethink the vision and purpose statements. In doing so, they could consider the following matters:

- Clarity about the Council's role and purpose.
 - The agency should consider focussing its vision and purpose more explicitly on its system stewardship role. How can the Council guide and influence the education system and teaching profession to achieve its higher level statutory outcomes of safety and quality outcomes for children?
 - There is a tendency for the Council, at present, to see its role as being primarily about ensuring that the profession feels they are getting value and good service from their fees and levies (also important), rather than necessarily looking to address the more strategic *drivers of good practice, effective leadership and good conduct*.
- The second is about the Council's approach to fulfilling its role and purpose.
 - It should reflect on how it goes about understanding not only what drives competence and conduct of teachers (including their training, professional development, leadership pathways and safe practices) but also how it responds to changes in the system as the current reforms bed in.
 - It should also reflect on how it uses its regulatory approach and tool kit to influence and drive the conduct of system players to improve the *prevention* of harm; in particular, the balance between engagement, education, collaboration, monitoring and supervision, and enforcement.
 - Finally, what will being a risk based and intelligence led regulator require in the future operating environment sketched above?
- The third is the Board's risk appetite, including the moral hazards it is prepared to accept. The executive will need to work to ensure that this risk appetite is translated into the organisation, so that staff can apply the risk settings to what they do on a day-to-day basis.
- The fourth is the need for a powerful unifying idea going forward, that all staff can rally around. This big idea should help staff in all teams find the meaning in their work. I suggest the Council consider two unifying ideas. The first is to *maintain and grow public trust and confidence in the teaching profession*. The second, which may help bind the membership services and regulatory work, is the notion of *prevention of harm*. The latter imports the interests of the child into the purpose and underscores the importance of moving from being something of an ambulance at the bottom of the cliff to a more proactive agency. Pivoting to a preventive focus was a compelling notion for interviewees of all stripes.

Finally, the Council will need to distil its thinking on purpose into a clear and compelling statement that can be widely communicated internally and across the profession and system. In such a strongly mission driven organisation, this statement must speak to both heads and hearts. It must act as a 'light on the hill' for all who work at the Council.

STRATEGY

The Council's current strategy is as shown in Appendix One below. It centres on five strategic objectives as below:

- Supporting teachers to manage current and emerging challenges in teaching
- Proudly communicating the value and expertise of teachers as professionals
- Growing the leadership capabilities of all teachers
- Supporting principals and ECE leaders to lead organisations
- Building partnerships to reflect and embody our Tangata Tiriti responsibilities in our organisation

These strategic pou were tested with the sector for relevance and approval.

Similar comments apply here as for vision above. External interviewees (and some internals) often felt that, while the process of developing the strategy had been sound, the strategy itself appeared to be founded on some premises that did not strictly reflect the Council's core statutory functions.

Some commented, for example, on the suggestion in the detail of the strategy (see Appendix One) that the Council would directly deliver advocacy, leadership and teacher quality interventions which, they suggested, it should instead do through others. As one put it: *'The Council is adding ad hoc leadership courses to the already confused PLD landscape, when it might be better and more sustainable to engage with other sector agencies to articulate a leadership framework, based on the standards, for others to deliver.'*

More broadly, others suggested that the strategy included initiatives and projects that were *'not in the Council's lane'*. One said, in a comment reflective of many, *'Unteach Racism for example, is no doubt a worthy idea, but I don't think it's the Council's core job to improve the diversity and cultural competence of the sector. With finite resources and a core role as regulator, why make the strategic choice to do that?'*

Indeed, the lack of emphasis in the strategy on core regulatory functions bothered some interviewees. *'They aren't there for fluffies'*, said one. *'They are the regulator and should act like it. There are real issues in the sector, such as workforce supply, ill-prepared new graduates, patterns of conduct that need addressing. They know lots about these and about what constitutes best practice. Isn't that what they should be focused on communicating? That, and encouraging solutions?'*

Some interviewees also felt that the strategy was insufficiently framework driven to drive and embed sustainable changes. One said, *'There is a list of shiny things in there, many of which are really interesting, but I'm not sure they represent the best use of the Council's resources if it wants to secure lasting results. They seem more about brand – of the Council and of the profession – than about substantive system improvement.'* In this regard, the Council's current advertising campaign advocating the craft of teaching was somewhat polarising amongst interviewees.

Internally, staff were familiar with the strategy and generally positive about the process used to develop it. Indeed, for its size, the Teaching Council has an able policy and strategy team.

This will make the proposed process of strategy refreshment challenging, in that the Council's people will have to address a broader set of strategic issues and objectives than those reflected in the current strategy. In particular, they will have to address the matter of what being a regulatory , as well as a membership services agency, really means for its future positioning. This will require effective leadership. Some staff may feel uncomfortable with this tilt in the balance of the Council's efforts.

I suggest that the Council needs to completely revise its strategy from first principles, if it is to position itself effectively to respond to the opportunities identified in the opening summary of this report. In this, I suggest there are several key areas to consider:

- In its current form, the strategy does not appear to reflect an appropriate balance between the Council's statutory roles, particularly its stewardship role as a data driven regulator and its responsibilities to prevent harm and assure child safety. The current focus on support to members of the profession via advocacy initiatives or direct PLD needs to be better balanced with these other roles. The lack of focus on safeguarding should be addressed. The importance of preserving public trust and confidence also needs greater prominence.

- The strategy also currently lacks an internal, organisational capability dimension. This element of the strategy reset will need to centre on the question: ‘if the Council is to succeed in implementing its system-facing regulatory strategy and act as an effective steward of the teaching profession, what are the implications and priority investments required in organisational capability?’
- The strategy appears reliant on a significant portfolio of projects to deliver its objectives. However, as I address more fully in a later section, the Council does not have an EPMO or take a portfolio view of its project investments. I am not sure how effectively these strategic projects – which together constitute a sizable proportion of the Council’s operating expenditure, are triaged, budgeted, monitored or governed. There seems to have been considerable project churn over recent years.

In revising the strategy, the Council should also have regard to the optimal balance between embedding activities relating to its strategic objectives into business as usual and delivering them via a project portfolio.

I see working to establish a balanced strategy, which combines the Council’s membership services, regulatory and organisational capability objectives, as the single most critical priority to set the stage for the next stage of the Council’s development. This needs to be approached with urgency.

The revised strategy should not be a list of things for the Council to do, but an opportunity to work through a set of choices about where the agency can have most impact in delivering its purpose and vision.

Setting both the new system facing and organisational strategy should also be an inclusive exercise engaging both staff and stakeholders. It should be led by the Board and the executive leadership team.

OUTCOMES FRAMEWORK

To its credit, the Council has also invested significant time and effort into developing an outcomes framework to accompany the strategy, as shown in Appendix One below. PUMP techniques were used to workshop the outcomes metrics with staff, and the plan is to cascade these into project, team and individual performance agreements.

The same comments apply here. If vision and strategy are to be changed, the changes will need to flow through to the outcomes framework. The framework will also need to be supplemented with more specific metrics in each outcome area.

PERFORMANCE CHALLENGE: OPERATING MODEL

This section examines elements of the current Teaching Council operating model and makes suggestions about how the model may need to be revised to strengthen its fitness for the future. Detail regarding the overall ethos of the current operating model of the Council can be found at Appendix Two below.

LEADERSHIP AND GOVERNANCE

GOVERNANCE

The Board is large in comparison to many other agencies, with 13 members. This would reduce to 7-9 under the currently proposed legislative amendments.

Much is made, within the agency, of the fact that some Board members are elected by the profession and some appointed by the Minister. This is an unhelpful characterisation of the Board. By whatever means members arrive there, once *on* the Board all members must take a professional and fiduciary approach to their governance roles.

In addition to the fact of a new Chair and Deputy, the Board comprises significant numbers of new members at present. Care will need to be taken to establish baseline hygiene measures for regular Board self and external review mechanisms. The current Board Charter is very detailed and could be revised along more modern and concise lines.

Given it holds some direct powers under statute, the governing Board also needs to be clear about which decisions it will take directly and which are delegated to management. At present, a number of decisions appear to be delegated to the executive team which may in fact be more appropriately the purview of the Board.

For their part, the executive leadership team must ensure that Board members have sufficient, timely and high quality information to inform their risk assessments and decision making. At present, Board packs are voluminous and hard to navigate. The Chief Executive's report appears to be less a strategic and analytic overview of performance, risks and issues than it is a tactical activity report. Performance dashboards and financial statements are also hard to interpret without a clear accompanying narrative.

The new Board offers a chance to reset the Board-management relationship, the delegations framework and the practical housekeeping of Board reporting.

LEADERSHIP

The current executive arrangements appear to emphasise individual accountability to the Chief Executive for business unit performance. Looking forward, more emphasis will need to be placed on the collective accountability of the executive leadership team in leading the Council. Given the size of the agency, members need to be *both* on and in the business. This will also allow the Chief Executive to be freed up for system facing and relationship activities.

The transformational changes suggested in this report will also place increased demands on the executive leadership team, including:

- Giving greater definition and balance to the Council's purpose and reflecting this in a refreshed strategy and set of performance measures
- Developing a clearer description of the future operating model, through which the refreshed strategy will be implemented

- Focusing on the organisational capability development required in the areas critical to success, including data analytics, regulatory skills and safeguarding expertise
- Strengthening collective governance over the strategic projects portfolio and ensuring good portfolio hygiene; and
- Recognising that all this represents significant culture change for the agency, and that this must be led strongly and consistently by the leadership team, supported by a strategic communications strategy.

The current style of executive leadership appears to be personality driven, as opposed to grounded in clear accountabilities and performance metrics, although the latter are under development. Given the scale of the internal transformation outlined in this report, the quality and professionalism of executive leadership will be at a premium.

Finally, it will be helpful for the executive to establish a Charter that outlines their agreed ways of working and behavioural protocols as a collective leadership team. As with the Board Charter, this should be reviewed on a regular basis to drive continuous reflection and improvements in team dynamics.

VALUES

The current values of the Council are:

- Whakamana (empowerment)
- Manaakitanga (care)
- Pono (integrity); and
- Whanaungatanga (relationships).

These are well known to staff and appear to resonate with them. They do not seem to have been translated into specific behaviours that can be discussed and measured. Working with staff to unpack each value each into ‘great, good or poor’ behaviours may be helpful in making such generic values more concrete in terms of their application to the Council’s work.

Culture change at significant scale will be needed to support the changes to vision, purpose and strategy suggested above. Without a clear process for leading culture change, any new approaches will remain at risk. It will be essential that senior and middle management leaders set the tone by modelling the values and setting clear expectations around culture change.

Once vision and strategy are refreshed, the ‘new’ culture will need to be explicitly designed, rather than being left to chance. Existing cultural strengths need to be retained, while less helpful traits, especially those buried deep in the Council’s cultural ‘iceberg’, need to be directly surfaced and acted on.

Going forward, the culture of the agency will need to become less political, more data driven and more reflective of an accountable and professional regulatory body, while not losing the current cultural strengths the Council has in regard to customer service and mission focus. The Council will know when it has achieved this through its staff engagement and stakeholder surveys and pulses.

REVIEW AND ORGANISATIONAL IMPROVEMENT

LESSONS LEARNED AND EVALUATION

The Council does not appear to have a consistent and systematic approach to post project or post implementation review and evaluation, nor a register of lessons learned that is linked into ongoing performance improvement activity. In the education context, it is important that the Council is itself seen as a learning organisation.

While the agency knows a lot about most aspects of the teaching profession because of the nature of its functional activities, this information is not yet systematically captured, analysed and turned into intelligence and insights. The Council clearly understands the need to do so, and has invested in cleansing its data and streamlining systems and processes to set itself up for the future. It is working with its IT providers to improve functionality. Staff are interested in how they might apply AI to their work.

It will be important that building a data and insights function is approached in a planned and rigorous way, and, given its size, that the Council reflects on what capabilities and systems it needs in house and what it might share or coinvest in with other system agencies.

It will then need to plan for how best to leverage its data assets. In the regulatory part of the agency, this will need to focus on how to prevent and mitigate emerging conduct and competency risks through the development of guidance to the system or via other interventions, alone or with others.

In view of the apparent weaknesses in project governance, there is a risk that piecemeal insights and evaluation approaches, AI driven or otherwise, are adopted across different teams.

Although research and evaluation are currently undertaken, this activity does not always appear well linked to operations. I saw some evidence of an apparent lack of awareness about what review and evaluation was being planned or undertaken in the Council.

CONTRIBUTION TO THE WIDER EDUCATION SYSTEM

The education agency ecosystem is a large and complex one. The Teaching Council currently appears to see itself as only partially connected with it. It treasures its statutory independence as a point of difference from Crown agencies. *'We can really only be useful to teachers if we keep our independence from Government'*, said one interviewee. *'Otherwise the profession won't trust us.'*

This seems an overly binary view. As a membership services organisation, the Council can offer system agencies a grounded and practical view of the issues facing the profession which can usefully inform policy and prioritisation within other agencies. As a regulator, the Council should be sharing its insights widely with the system, in order that they can inform changes to policy, leadership practices and the design of treatments and interventions in areas of risk. Independence is useful to the degree that the Council can take a more objective view than some policy agencies, as is a clear delineation between the agency's membership services and regulatory functions, each of which requires different capabilities.

Sector agencies were keen to link more systematically with the Council. *'They know an awful lot about the profession,'* said one interviewee. *'They can be more proactive about engaging with the Ministry, Police, OT and others. They do engage, but it's kind of cooperation rather than collaboration.'* Another said. *'Relationships are good, but I think they have a wider role to play. They have the ability to look at the horizon, and I think we need that.'*

With regard to schools' and centres' Boards of Trustees, principals and professional leaders, interviewees were keen for the Council to play a more visible and active role in disseminating insights about all aspects of its work across the value chain. *'They turn up to events sometimes', said one interviewee, 'and it's always good value. They should make that more online and more regular.'* Another said, *'I reckon lots of teachers don't see the TC as relevant. They can best establish their value by being more engaged and using their information to educate the system and practitioners. I'd like to see more of them, plus more formal evaluation and research stuff.'*

Interviewees with regulatory experience were keen that the Council, in the words of one, *'...move away from bits and pieces type modules and webinars and develop formal, capital G guidance for the sector. I think leaders and principals would really welcome this, just as ERO's evaluation and insights work is useful.'*

Being a regulator is like being part of an ensemble cast, or an orchestra. The regulatory approach is akin to a director or conductor, while the Council uses different instruments, not all of which it owns directly, to deliver the approach in practical terms¹¹. It needs the ability to work effectively with and through others, in addition to its direct delivery operations. This places a premium on meaningful stakeholder engagement and relationships.

Absent clear purpose and strategy, particularly with regard to the regulatory framework and approach, the Council is struggling to know where to place its engagement efforts. While it has worked hard to improve relationships, (such as those with unions), and to collaborate effectively (such as with NZQA on ITE monitoring), some relationships appear underinvested, such as those with ERO, or the policy arm of the Ministry. The Council also has work to do here to ensure its relationships are enduring, as opposed to dependent on individuals and personalities.

Above all, the Council needs to build the trust with the profession and the system it needs if to is to influence and nudge behaviours and practices related to emerging risks and issues. Such trust needs to be based on doing its core business well.

DELIVERY FOR NEW ZEALANDERS

PUBLIC TRUST AND CONFIDENCE

New Zealand benchmarks well with other jurisdictions regarding the public's trust and respect for teachers and the education sector. The Council conducts stakeholder perception surveys but there is currently no agency wide view of whether the public's expectations of teacher competence and conduct are being met.'

In pockets of the agency, such as the registration team and call centre, there is a clear focus on the teacher and leader/principal as customers. In the conduct and competency regulatory operations however, it is not clear to me that the customer service ethos or a victim centred mindset always extends to the complainant, parent or referring Principal/Leader.

As a consequence, principals/leaders and complainants experience a range of pain points and frustrations in their encounters with the Council. These include lack of feedback loops to those who

¹¹ See <https://www.regulation.govt.nz/assets/Resource-Documents/RPE-Quick-Guide-Regulatory-Approaches-Models-and-Tools.pdf>

submit mandatory reports, challenges for complainants in understanding the status of their case once submitted and lack of timeliness in the handling of cases. The latter issue drastically impacts teachers facing allegations, victims, and witnesses. Good service and good support to victims does happen, but it seems to be up to an individual investigator's style and experience, rather than being driven by a clear set of customer service quality, victims' rights and public trust standards.

In this, interviewees reported a wide range of experiences, from a sense there is little accountability for missing deadlines, to a view that the triage processes for cases are opaque, to a sense of lack of urgency to modernise basic activities, such as Committee and Tribunal processes and case management systems. If referrers, victims, witnesses and complainants do not feel respected by the professional regulator, then it is difficult to see how respect for the profession can be maintained at the highest levels.

In particular, the Council has a way to go to improve complainants' and referrers' views of the Complaints Assessment Committee and Disciplinary Tribunal systems and the rationale for some of their decisions. Enabling technology is critical to this, as is systematising the support provided to the Committee and Tribunal to improve timeliness, access, reduce costs and ensure consistent decision making.

Communication also needs to improve. Media stories about individual Tribunal decisions and egregious conduct do not help build public trust. The Council needs to consider proactively contributing to a more balanced narrative based on the insights and jurisprudence of the Tribunal.

Likewise, ethical standards and norms are constantly moving in society. It is vital that kura, centres and schools, which generally have workforces comprising multiple demographics, are constantly revisiting ethical and behavioural issues. One person's "Don't be such a snowflake", will be a colleague's "I am shocked and profoundly hurt." It should be safe and normal to have open discussion in the workplace about changing social norms and diverse reactions and views. The Council's guidance should support leaders to have such discussions on a regular basis.

SUPPORT TO THE TEACHING PROFESSION

This aspect of their work appears to most excite and motivate Council staff. They view teaching as an undervalued profession that is not well understood by the wider public. Projects such as the 2025 **'Teaching shapes what matters most'** media campaign are premised on enhancing the mana and brand of the profession and thus helping to attract more new entrants. This particular campaign was intended to uplift the teaching profession, challenge stereotypes, and highlight the profession's crucial role in society.

In a similar vein, the 2021 **'You have the power to unteach racism'** campaign as intended to help teachers identify and confront racism in the classroom.

Outside its core registration and regulatory functions, membership style services offered to teachers via the Council also include:

- Online portal: The Hapori Matatū online community allows teachers to apply for registration, connect with peers, and access discussions
- Professional Growth Cycle: The Council designs the professional growth (development) cycle and requires teachers to engage in professional learning and development
- Induction and mentoring: The Council supports professional leaders in providing induction and mentoring programmes for beginning or new teachers

- Contact centre: The Te Ohu Aroākapa Contact Centre offers personalised support and guidance to educators; and
- Financial assistance: In the 2024/2025 year, the government funded scholarships and programmes to support beginning teachers, and registration/certification fees for eligible teachers are covered through government funding.

Opinions varied amongst respondents as to which of these various services provided value and which were most consistent with the statutory functions of the Council. One interviewee said: *'I've got no problem with the advocacy campaign stuff. Any little bit helps the profession.'* Another said, *'That campaign stuff is ridiculous. It's costly and inauthentic. They are a regulator. They should act like it.'*

There was general consensus however, that the design of the professional growth cycle (PGC) for teachers was an area where the Council could add real value, consistent with its statutory obligations. *'How cool would it be, said one interviewee, to see a consistent career pathway articulated, from the beginning teacher to the senior leader, to help unify practice across all 2,500 schools and 140 plus ITE providers? We have such inconsistent experiences for teachers currently and it makes for inequitable learning outcomes. I see this PLD area as a space the Council should own. Not to deliver, but working with MoE and others to design the pathway, based on what they see works and doesn't.'*

More generally, interviewees also expressed a range of views on the relevance of the Council to the profession. One said. *'They are not relevant. Teachers only notice them when they complain about paying their fee'*. Others said, in the words of one, *'To remain relevant in future they need to clearly explain what they are and are not. I reckon that to teachers, they blur into being a union, and then at other times being the sector police. It's a confusing picture.'*

DELIVERY OF CORE FUNCTIONS

THE CODE AND STANDARDS

2017 CODE AND STANDARDS

The Code of Professional Responsibility (the Code) and the Standards for the Teaching Profession (the Standards) were launched on July 1, 2017. They were created by teachers, leaders and teaching experts to articulate the expectations and aspirations of the profession. The Code sets out the standards for ethical behaviour that are expected of every teacher; the Standards describe the expectations of effective teaching practice. Together they set out what it means to be a registered and certified teacher in New Zealand. They also apply to staff working on a Limited Authority to Teach (or LAT, discussed more fully below in the sections on competence and conduct).

The 2017 Code set out four commitments that reflect the ethical behaviours and integrity expected of all teachers, as shown below.



The Standards describe what constitutes effective teaching practice in more detail. The additional detail is intended to help teachers to identify and develop high quality practices. The Standards are purposely designed at a high level so every practitioner can apply them to suit the context they are working in.



THE NEW STANDARDS

The Teaching Council approved new teaching standards, the 2026 Standards for the Teaching Profession, which are expected to be used for the Professional Growth Cycle from 2026 and for re-certification from 2027¹². The 2026 Standards consist of eight standards across three domains, with Te Tiriti o Waitangi partnership (Standard 1) underpinning all other standards.

The 2026 Standards are intended to build upon the 2017 Standards, and preserve many of their key features.

¹² The new Code and Standards can be found at https://res.cloudinary.com/dwawcp193/image/upload/s--yMkys21j--/v1/extracted_pdfs_from_sspak/Our-Code-Our-Standards-Nga-Tikanga-Matatika-Nga-Paerewa?_a=BAMAAAFm0 The Professional Growth cycle is discussed below.

They are made up of eight standards that describe what high-quality teaching practice looks like, as shown in the diagram below.



Each standard contains a set of focus areas that provide additional detail. The focus areas are intended to interpret each standard and support teachers to identify and develop high quality practices in their settings. In addition, the Council has developed scenarios and various other resources showing the Code in practice.¹³

Some very thorough work has been undertaken in this area, and most interviewees were generally positive about the Code and Standards, as well as the proposed implementation approach for the new versions in 2026-7.

As the Council reinvents its purpose, vision and strategy as suggested above, there is further opportunity here to ensure that the new standards are well embedded in the profession by:

- Issuing more detailed guidance to ITE providers to illustrate what is good, great or poor performance would look like for each standard, to assist in training scenarios; and
- Formalising and making more readily available the guidance to Boards, principals, leaders and teachers on what the standards might look like in practice and what the benchmarks might look like for good, great or poor alignment. Bringing the standards to life in this way will assist teachers and their professional leaders with high quality professional growth cycle discussions. Without something tangible and dynamic such as this, there is a risk that standards ossify or are tick boxed by busy teachers and educational leaders.

As one interviewee put it, *'We're sitting there with all the health and safety liabilities and we don't know if the thing we reported is a green, amber or a red because we don't see what's happening in other places. We might not know for months or years. It's pretty scary for everyone involved.'*

Regardless of where in the future the design of the Code and Standards ultimately sits in the education system¹⁴, they must be brought to life by those who lead and role model them in the system, above all, by principals and other professional leaders. They should ensure that staff are engaged in turning them into tangible behaviours that can be discussed in a coaching conversation and measured, if only qualitatively.

¹³ The scenarios can be found at https://res.cloudinary.com/dwawcpl93/image/upload/s--LGC-M6cU--v1/extracted_pdfs_from_sspak/Code-in-Practice?_a=BAMAAAFm0

¹⁴ Under the proposed legislative amendment, responsibility for the Code and Standards would move to the Secretary for Education.

There is opportunity here for the Council to support these processes, through its support to leaders, its formal guidance materials and its communications.

For example, if a professional value in the Code is ‘manaakitanga’, leaders should have worked through what poor, good and great manaaki might look like in practical terms. Staff generally enjoy participating in these processes. Specific behaviours also make for more meaningful performance and coaching conversations. Far too many performance management systems are focussed on technical skills rather than on behaviours and attributes.

Scenarios illustrating behaviours – both exemplary and in the breach – should also be used in ITE providers, schools, kura and centres on a regular basis. Safe discussion on these matters will show a diversity of views and help people engage their active ethical judgement. These discussions also promote safe ways to speak out and defuse possible conflicts.

These sessions need to be well designed and well led by professional leaders. However, the Council can support these through required eLearning, induction booklets or posted guidance to leaders.

Unless behaviours are regularly brought to life by the Council and leaders the profession will default into implicit, and often vague, shared assumptions and rules. Culture in any organisation or system is never static and must be actively managed and led. Facilitating and exhorting open and regular conversation about the Code and Standards across the system will act as a preventive safety valve that can surface implicit problems and help mitigate risky behaviours.

REGISTRATION AND CERTIFICATION

As the gatekeeper to the teaching profession, the Council handles initial teacher registration for both domestic and foreign trained teachers. Teaching qualifications are checked and validated, a Police vet is secured and experience checked for compliance with the Standards. Thereafter, the Council also manages the three yearly renewal process for teachers’ practising certificates, which require endorsement by the employing Principal or Leader.

This process is supported by the Council’s core operating system, Salesforce, which handles over 40,000 applications for registration and certification a year. The system is supported by an AI-powered chatbot, which allows teachers to access real-time updates on their registration applications and self-serve for routine queries, reducing the need for direct contact with the support team. A contact centre handles over 100,000 phone and email queries from teachers, principals, and professional leaders every year. It is set to deliver AI driven telephony improvements next year.

Significant effort has been put into improving turnaround times for initial registration and supporting self-service for teachers in the certification process. Most interviewees told me they found these processes efficient, fast and frictionless. Problems appear mainly to relate to the registration of foreign trained teachers, and include:

- Significant delays in checking foreign qualifications due to a relative lack of mutual recognition agreements with other jurisdictions, such as India or South Africa
- Challenges and thus delays in police vetting foreign nationals, particularly in countries without reciprocal arrangements
- Anecdotal evidence that some foreign trained teachers may be seeking New Zealand registration as a back door entry to teaching in Australia, given trans-Tasman recognition agreements; and
- Challenges some foreign trained, registered teachers have in gaining employment in New Zealand.

There are opportunities here to piggyback on NZQA's mutual recognition arrangements to speed the qualifications assurance process, and to engage more proactively with Immigration and Police for improved policy and process alignment.

A critical risk the Council must manage in regard to registration and certification is the quality of decision making by the team. Given current workforce shortages, there is real pressure to admit teachers if at all possible. Members of this team, relatively few of whom have a teaching background, are also rightly dedicated to providing fast and friendly service. Further, such decision making can never be entirely mechanistic and rules based, but must be a blend of technical assurance and skilled judgement.

As the Council upweights its regulatory role, there is opportunity to strengthen decision frameworks and review processes, from the perspectives of prevention and safeguarding. The consequences of a poor decision at the front door to the profession can be catastrophic. The Council might reflect on practices that apply in other settings dealing with vulnerable groups, such as the probation service. These include:

- Establishing a principles-based decisioning framework, combined with peer review and professional supervision, so that the team is collectively learning from their decisions. One interviewee asked '*...what in earth is the model for the professional supervision for the registration team or investigators? How can they reflect on their practice and test their risk appetites?*'
- Strengthening the feedback link between the regulatory arm and the registration team, so that lessons learned from competence and conduct investigations can directly inform decision makers in the gate keeping functions; and
- Ensuring that members of this team have regular training in order to demonstrate a basic understanding of the risks and red flags to look for that may signal criminality, such as markers for coercive control, grooming and so on, which may not be reflected in a point in time police vet for convictions.

These suggestions are in no way critical of the staff in this team, who appear both enthusiastic and skilled. But they would help ensure tighter learning loops, reduce flawed decisions and strengthen a culture of reflective practice.

LATS AND OTHER WORKERS

Not all personnel who work in early childhood centres, schools and kura are registered teachers. A variety of personnel, such as student teachers, itinerant specialists (such as music teachers), staff in charter schools, relief staff, teacher aides and others have a Limited Authority to Teach granted by the Council, and are referred to in the system as LATs. A Limited Authority to Teach allows individuals without a formal teaching qualification to teach in specific situations if they have a:

- Specialist skill which requires a high level of expertise in a specific subject area that is not widely available among registered teachers, for example, musical instrument, language or guidance counselling; or
- Skill that is in short supply. Teaching positions which should be filled by a registered teacher but for which there are currently no teachers available because of supply issues. The need for these positions must be demonstrated by an employer and is usually considered within a regional context.

LATs must be endorsed by the employing Principal or Leader, observe the Code and Standards and are subject to an abbreviated Police vet. Employing LATs helps principals and professional leaders with flexibility in their budgets as these positions can be funded from the bulk operating grant, as opposed to

the staffing budget. Up to 25% of those who work in ECE centres may be LATs. They represent a significant proportion of the education system as a whole.

While these positions are a critical tool for workforce flexibility and diversity in the system, they also expose the system to a higher degree of risk in that the checking of LATs is much lighter touch than the approach applied for registration. As many LATs are part time, or move around different employers, it is more difficult to observe patterns in competence or conduct. In practice, poorly performing LAT staff are likely to be dropped by a school or centre rather than become the subject of performance management or a mandatory report.

If the Council is to place greater emphasis, in its regulatory role, on prevention and child safety, this area should be probed further and the risk appetite of sector leaders to balance the need for flexibility with the risks should be assessed. It surprises me, for example, that every parent who coaches a school sports team has to complete a mandatory training module relating to the Children's Act 2014 but that LATs currently do not. Practices with regard to other contract and non-teaching staff, such as caretakers, also appear to vary.

I do not know what the answer is here, but the Council, as competence and conduct regulator, should be taking an evidence based view of this and engaging with the system on future options accordingly.

INITIAL TRAINING

The Council currently has a role in Initial Teacher Education (ITE) programme approval, monitoring, review and moderation frameworks with providers and co-regulators to ensure programme quality and graduate readiness. This is a challenging area, with over 140 different ITE providers operating in the New Zealand market, providing a diverse portfolio of programmes. All ITE providers are also governed by other agencies such as the Committee for University Academic Programmes (CUAP) and NZQA. These organisations have their own quality assurance processes.

In 2024 the Council instituted a new approach to ITE monitoring, called the *ITE Programme Approval, Monitoring, Review and Moderation Policy: Teaching in Aotearoa New Zealand. Te Whakaako i Aotearoa policy*, or MRM. This was intended as a 'light handed framework' both to ensure that providers got value from the review process and that the Council could assure the quality of initial teacher training.

An independent review of the MRM in 2025¹⁵ found that the new approach created high compliance costs and administrative burden on providers, while also stretching the small quality team within the Council. The reviewer also noted tensions between the regulatory and 'leadership' roles of the Council in its engagement with ITEs. Recommendations were made to simplify the policy and approach. The Council subsequently merged its teacher quality and policy teams.

The current proposed legislative amendment would give the Secretary for Education a legislated advisory role in ITE standard setting reviews and approvals.

Regardless of who has what role in future, interviewees agreed that there is opportunity to streamline the multi-agency assurance processes in order to clarify the roles of the respective agencies and manage the compliance burden on providers. The critical system priority here is the production of graduate teachers who are well prepared as beginning members of a highly skilled profession.

Given the crowded provider space and the views of some school and centre leaders that some graduates are more match fit than others, it is important that the Council, in its co-regulatory role, works effectively

¹⁵ See Emily Nelson, for Nelson Consulting, *ITE Programme Approval, Monitoring Review and Moderation Policy Implementation Review*, for the Teachers Council, June 2025.

with its partner agencies to identify patterns and trends, and based on these, communicates insights and guidance to providers, system leaders and policy makers.

THE PROVISIONALLY REGISTERED TEACHER

ITE providers ideally produce a teacher who is ready to teach, but not yet fully mature as an educator. The two year provisional registration period is intended as a probationary period in which a new teacher is closely mentored and supported. In this, practice around the system varies considerably. Many large and well-resourced schools have sophisticated and carefully structured probationary teacher programmes, including training for mentors. Other schools provide relatively little support. *‘We need much greater consistency in the blended field training model for new teachers’*, said one interviewee. *‘It’s all over the place. It’s not owned, and mentor teachers aren’t being set up for success.’*

The result is that, just as diverse ITE programmes produce a diverse array of beginning teachers, contrasting approaches to the probationary period produce very different experiences for new teachers. All this leads to highly inconsistent teacher experience profiles, skills and confidence, issues which greatly preoccupy employing schools, kura and centres. This is in marked contrast to other professions, such as Police for example, which has a nationally consistent field training approach for probationary constables, or the legal profession, with a structured lead up to the bar examination.

This represents a significant gap in the current system, which creates opportunities for the Teaching Council to add value at a system level.

Most interviewees expressed support for a more consistently structured and resourced probationary pathway, including common workplace assessments, a consistent mentor model, greater rigour around the award of final registration and so on.

There are opportunities for the Council – as regulator - to draw on the analysis and insights from its ITE monitoring, competence and conduct activities to identify critical success factors for the probationary teacher, identify the pockets of great practice that exist and communicate these across the system. This will require close and more strategic engagement with the Ministry’s workforce team.

‘This nexus between new teacher development, the professional growth cycle, and career pathways...that’s where the Council’s knowledge of the good practices out there can really add value’, said one interviewee.

PROFESSIONAL DEVELOPMENT AND THE GROWTH CYCLE

The Professional Growth Cycle (PGC) is an annual, learning-focused process designed to foster individual and collaborative learning within the teaching profession. It has replaced the former performance appraisal system for determining whether educators meet the Standards. All teachers must be signed off as having participated in the PGC by their employing Leader or Principal, although the degree to which this is formally planned or checked again appears to be variable.

Professional development (PLD) in the system tends to be fragmented, of mixed quality, largely left to the individual and mostly non mandatory, with low regulation of providers. The practical result is that teachers will have quite different professional development experiences. Some will actively participate in professional growth activities the length of their careers, others will engage in relatively few. This is dependent on a variety of factors, including location, school size and personal inclination.

A number of interviewees suggested that there may be a future opportunity for the Council to add some rigour to the provision of PLD by issuing guidance or advice in this area that helps leaders and teachers

understand what best practice pathways could look like. *‘I’d actually like them to accredit PLD,’* said one interviewee. *‘Then a Principal knows what they’re endorsing and the Council can see the joined up view of PLD cross the sector.’*

Several suggested an approach similar to that used in the accounting profession, where members are required to participate in regular personal and professional development up to a certain credit level, in order to maintain their currency and their certification. The onus in that case is on the practitioner to fund and provide evidence of the learning activity. Some principals in particular, were interested in exploring this higher accountability model.

Such a change would be complex and costly from an implementation point of view. Regardless, as the professional membership body the Council should hold, and communicate, a view on the matter.

LEADERSHIP DEVELOPMENT

More specifically, a significant number of interviewees were interested in the Council’s insights into what a structured approach to leadership development across the sector might look like, both to ensure greater consistency in the leadership model and to better support aspiring leaders at all levels.

In a system with 2,500 independent schools and kura, plus multiple early learning and ITE provider settings, leadership skills for principals and other leaders are at a premium. Running a kura, centre or school is a complex and sophisticated operation. Further, given the outsize impact they have on learners, families and communities, all teachers should be good leaders.

There is an opportunity for the Council to help influence leadership across the system by applying its data and insights to the development of a more structured and consistent leadership framework. It does not need to own the framework, which may more properly be the purview of the Ministry, but its insights should certainly inform it.

This pivot, towards taking a more independent, regulatory approach to leadership development, when combined with pending changes to the statutory functions of the Council¹⁶, would likely mean that, in future, the Council does not deliver leadership development itself. *‘What they do at the moment is so random and not joined up with anything else’*, said one interviewee. *‘It would be great if this was all a better planned system, informed by the stuff the Council knows about skills gaps.’*

Such a framework could be structured in consistent modules, from ‘lead self’ during ITE (perhaps with the focus on the Code and Standards, resilience, ethics etc), to ‘lead teams’ at first line management level (often Head of Department or team leader), then onto ‘lead group’, lead school’ and ultimately, ‘lead system.’ The ECE sector will have a view of what this could look like in that setting.

In a country as small as New Zealand, any professional leadership framework should be nationally consistent. It should create a shared set of experiences across leadership cohorts. Participation in the programme at key career transition points could be mandatory and would ideally be undertaken in advance of appointment to a higher role.

These development activities should be very explicit about the changed leadership requirements required at each promotional step. Being clear about levels of leadership also means that each leader is focused on enabling the work of their direct reports, rather than replicating it.

¹⁶ As discussed earlier, under the Education and Training (System Reform) Amendment Bill, currently in Select Committee, which would amend the Council’s functions at S 479.

The more operational elements of the PGC could be wrapped around this central thread of shared experiences in leadership development. Such an approach would help in creating succession pools for key system positions and promote peer to peer learning.

Once again, the Council would need to work closely with the Ministry's workforce team. Under such a scenario, the central workforce function of the Ministry will need to shift its current emphasis on teacher supply to a more comprehensive approach to workforce strategy.

SUPPORT TO PRINCIPALS AND PROFESSIONAL LEADERS

Given the variability in the experience of principals and professional leaders, there is also opportunity for the Council to improve its guidance for and service to this group.

For example, it is clear that the judgments and thresholds principals and other leaders apply to the requirements for mandatory reporting of competency and conduct issues vary across the sector. One interviewee said, *'Boards and principals don't always understand mandatory reporting., especially in cases such as a dismissal where a settlement might be involved. It's hard for them to find out about what the thresholds for conduct are because of the privacy issues.'*

Mandatory reporting is a legal obligation for employers of teachers which I outline more fully in the section on conduct below.

Some principals or leaders appear to over report, both to manage their own health and safety risk exposure and as a default response to any potential red flag. Such over reporting can clog the system with low level matters and further delay core processes. One interviewee said, *'You kind of have to over report, as the criteria are so broad. It would be helpful if we knew more about the thresholds and patterns so we can make a balanced judgement. Just more feedback in general would be good. Reports go into a black hole a bit.'*

Others are likely to be under reporting, perhaps due to inexperience, or because the teacher (or LAT) has left the profession, or because a non-disclosure agreement has been signed on settlement, (although this does not obviate the duty in law to report). As one interviewee put it, *"Not all leaders or principals report if a teacher resigns. It's a thing, where they might say, "you go, and I won't have to report you"...that's not how it should work.'*

Underreporting creates loops in the regulatory net, given that teachers can, in a tight labour market, 'school hop' around the system to avoid consequences for poor conduct or incompetence.

Principals and other professional leaders need to be provided with maximum clarity about what and how to report. Formal best practice guidance, including relevant recent scenarios and anonymised cases, would be very helpful here.

Once they have made a mandatory report, leaders must also be able to see its status in terms of case management. They are often supporting the teacher who is the subject of the report or the victims and witnesses in the alleged misconduct. At present, how well informed principals and leaders are seems to be dependent on the individual investigator at the Council as opposed to being driven by clear service protocols, supported by an easy to access online status update from the Council's case management system.

Given the protracted nature of many of the Council's competence and conduct processes, and aside from their impacts on teachers and victims, it is concerning that leaders, principals and boards of

trustees, who hold health and safety liability under the Act, can be left sitting with the residual risks of the reported events, in some cases for years.

More broadly too, principals and other leaders need to be provided with regular guidance about trends and patterns of concerning issues related to the Standards, scenarios that explain them, and examples of and resources to support best practice. They do not have the ability to see across the entire landscape of providers that the Council does. They are eager to receive such insights and guidance.

Where the Council is seeing concerning trends, such as ,for example, in over or under reporting, there may be a need to design a new policy , intervention or treatment, sometimes in conjunction with peak bodies and other agencies. Most interviewees said they would welcome the Council being more proactive in this area. One said *‘When they see worrying stuff, like misuse of social media in secondary, or an increase in rough handling complaints in ECE, their job is to inform the system about that and explain both the problems they see, the best practice standards and strategies to reduce risk. Who else in the system is going to do this if the Council doesn’t ?’*

Similarly, the Council could consider being more front footed about sharing key patterns in the jurisprudence emerging from the CAC and Tribunal. Standards are never absolute and receive their definition from case law. Principals and professional leaders should be able to expect more analytic insight from the Council’s regular publications than they might chance upon in the media in regard to a particular case.

THE REGULATORY MODEL

THE NEED FOR A CLEAR FRAMEWORK AND APPROACH

All of this goes to the need for a much more structured regulatory model and mindset in the Council.

Most respondents felt there was a need for the Council to formalise and make more transparent its regulatory framework and approach. They felt it should do so regardless of any currently proposed legislative changes. Many suggested that, while the regulatory framework may presently be implicit, most Council staff did not currently see their work through this lens.

A regulatory **framework** is a structured system of laws, rules, guidelines, and oversight mechanisms that define how organisations must operate to ensure legal, ethical, and safe operations.

Regulatory **approaches** are the principles and objectives that guide a regulator in carrying out its work within that framework.

An explicit and robust regulatory framework for the Council will be crucial for:

- Protecting children, schools and teachers
- Ensuring consistent interpretation of the Code and Standards
- Preventing abuse and victimisation; and
- Providing a structure for consistent and fair decision-making by the Council.

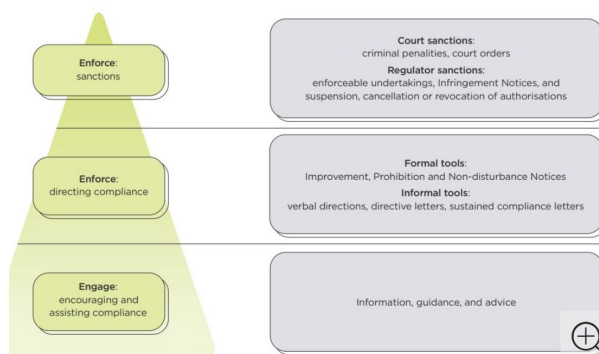
Such a framework would typically outline matters such as:

- Regulatory Requirements: In this case the Code and Standards teachers must follow
- Enforcement Mechanisms: The actions the Council can take when non-compliance occurs (e.g., fines, penalties); and

- Accountability and Governance: Clear delegations, roles, responsibilities, and processes for decision-making.

A useful example here might be the framework developed by NZTA, as a part of its *Tū ake, Tū māia Stand up, Stand firm Regulatory Strategy 2023-2033*¹⁷. This document outlines the approach and regulatory tools the agency uses to regulate the land transport system, across the whole range of possible interventions, from education to enforcement.

Another useful example might be WorkSafe New Zealand. WorkSafe describes itself as a responsive, risk based regulator. It shows the range of its interventions in the following graphic:



Effective regulators take a whole of system approach to their work. The Council, under this model, will in future:

- work together with other agencies to achieve outcomes across the system
- work with the regulated profession to achieve shared goals; and
- proactively manage conflicts between its different functions and those of other agencies.

The Council will also need to further clarify its regulatory approach or combination of approaches. Typical approaches include:

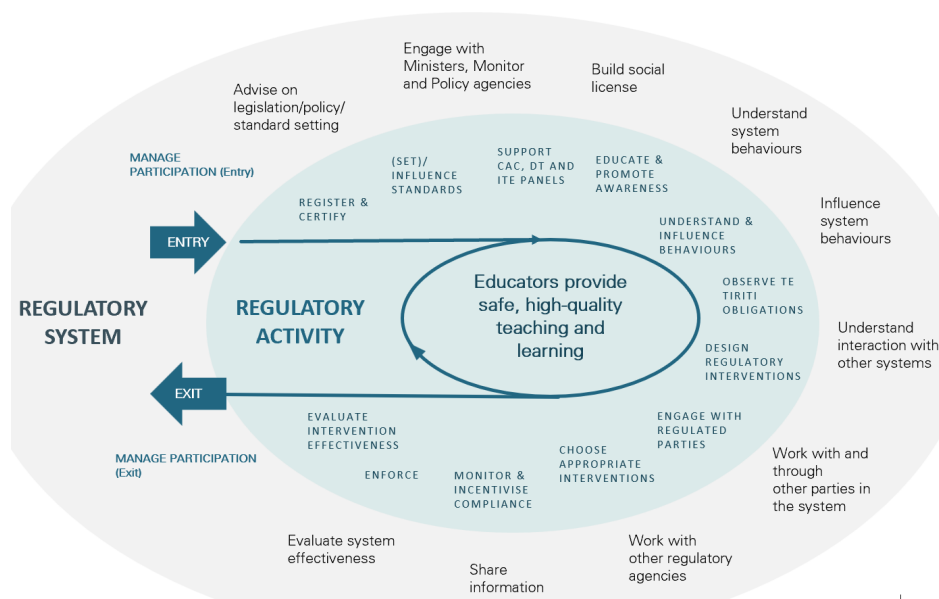
- Risk-Based Regulation: Here, the regulator prioritises resources and effort to areas with the highest potential for harm. This involves identifying, assessing, and scoring risks to focus preventative measures
- Responsive Regulation: This approach emphasises that regulators should tailor their response to the behaviour and willingness of the regulated party to comply. It often uses a pyramid of enforcement, starting with education and escalating to penalties for persistent non-compliance (e.g., the VADE approach: Voluntary, Assisted, Directed, Enforced); or
- Principles-Based Regulation: Here, regulators provide high-level principles or desired outcomes, giving regulated parties flexibility on how to achieve them. This can foster innovation, as entities can determine how they best meet requirements.

Making all of this more explicit is a useful opportunity for the Council to rethink its operating model. Conceptually, the future system of Council regulation may look something like the graphic below.

¹⁷ See <https://www.nzta.govt.nz/assets/regulatory/docs/tu-ake-tu-maia-regulatory-strategy-2023-2032.pdf>

THE REGULATORY LANDSCAPE

Activity and system



COMPETENCE AND CONDUCT

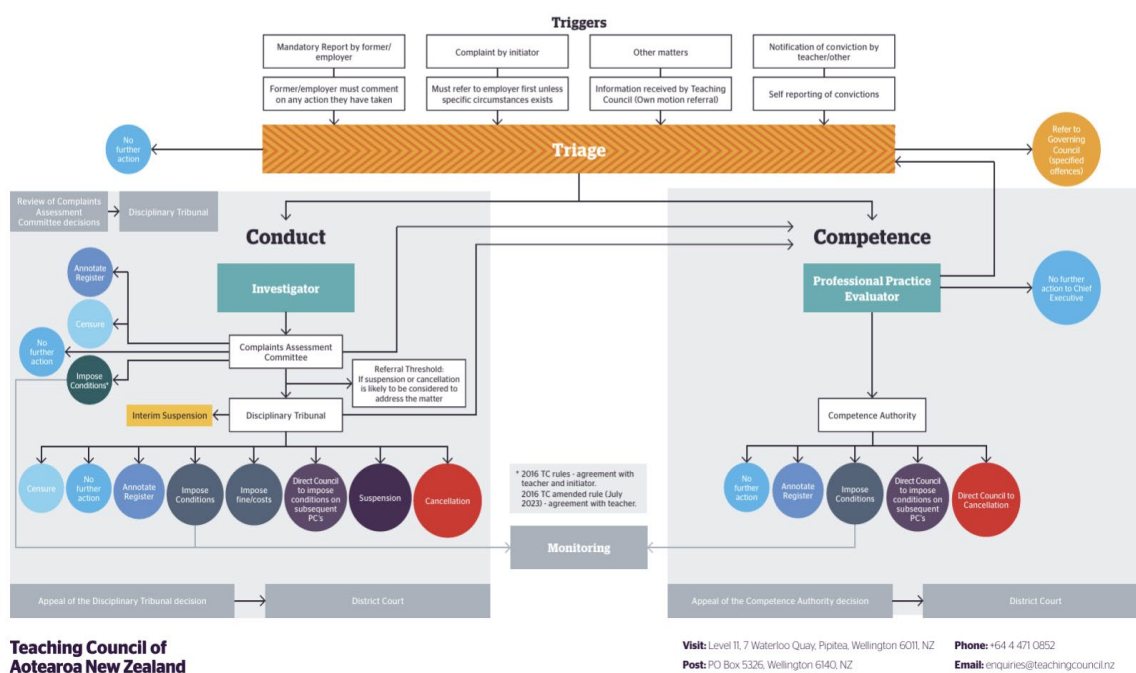
When the Teaching Council receives a report or complaint about a teacher, it identifies what the appropriate process for that complaint should be. Depending on whether it relates to a teacher's conduct or their competence, there are different courses of action for each situation.

- **Competence** relates to a teacher's teaching practice - how they teach, interact with students, colleagues, and whānau, and how they meet the Standards. If there are concerns, the Council expresses its overall goal in this area is to support the teacher to improve their practice; and
- **Conduct** refers to a teacher's behaviour. Concerns about conduct may come up when a teacher may have acted in a way that breaches the Code. This could be by doing something unsafe or dishonest, which can affect trust in teachers and the profession and/or cause harm to others.

The Council will refer to the Complaints Assessment Committee, Disciplinary Tribunal or Competence Authority to make a final decision. These are independent decision-making bodies separate from the Council, and are made up of registered teachers with practising certificates from across the sector as well as lay experts.

The competence and conduct processes, linked by an initial Triage framework, are currently as shown in the diagram below.

Conduct and Competence process flowchart



TEACHER COMPETENCE

One of the Council's roles is to ensure a high quality of teacher practice by ensuring teachers continue their professional learning and meet the Standards to be a competent teacher. As discussed above, there are six standards that provide a holistic description of what high quality teaching practice looks like.

If there is a concern or complaint raised about an individual teacher's competence, the Council will evaluate the concern. Professional Practice Evaluators are experienced, registered senior teachers from across the sector. Where an evaluation finds that a teacher has not attained the required level of competence, the matter will be referred to the Competence Authority.

The Competence Authority considers all relevant information to determine whether a teacher has attained the required level of competence and decides what the appropriate outcome should be. Its decision panel is made up of one lay person and two or three registered teachers from across the sector.

The purpose of the competence process is to support teachers to build in an area they are not meeting. Unlike the discipline area, the competence process is designed primarily to be rehabilitative.

In recent times, the numbers of referrals for competency matters have been tiny, and have averaged around 30 cases per year. The Council is currently addressing 19 active competency cases.

This appears to be an area of significant under reporting, in that principals and leaders may performance manage these cases out, or teachers may resign when competence is called into question. Anecdotally, respondents suggested that such is the current teacher shortage, some of these teachers can dodge accountability by shifting between schools. *'Some schools are just desperate'* said one, *'...and they can't afford to look too closely at performance'*.

If this is the case, it is both an area of considerable concern and an issue where the Council doesn't know what it doesn't know. In addition, an annual caseload of 30 is an insufficient data pool to determine

causality or see trends. This is likely an area where a low referral rate is perhaps cause for more concern than a high one.

I suggest that the Council needs to engage closely with the relevant stakeholders and partner agencies such as ERO to try and evaluate the size of this problem, as well as possible treatments. Supply shortages should not be an excuse here. The Council does not necessarily need to own any new interventions, but it should have a system wide view of competence and what will be required to assure it in future.

CONDUCT AND DISCIPLINARY MATTERS

Each year the Council also receives reports relating to teacher conduct. Given the size of the teaching profession, there are relatively few such reports, amounting in a typical year to between 0.5% and 0.8% of the total profession.

As noted above, concerns about a teacher's conduct or competence come to the Council's attention via multiple channels, including:

- A legal obligation on the employer to make a report. Mandatory reports are a legal obligation for employers. Sections 489 to 492 of the Education and Training Act 2020 require an employer to make a report to the Council in the following situations:
 - the employer has reason to believe that a teacher has engaged in serious misconduct
 - the employer dismisses a teacher for any reason
 - a teacher resigns or their contract ends, and within 12 months before the resignation, the employer had advised the teacher it was dissatisfied with or intended to investigate the teacher's conduct or competence
 - the employer receives a complaint about a teacher's conduct or competence within 12 months after a teacher leaves their role, or
 - after taking steps to address the problem, the employer believes the teacher hasn't reached the required competence level
- An obligation on the teacher to make a report of criminal offences. Teachers must self-report certain criminal convictions. When a teacher is convicted of a criminal offence, punishable by a jail term of three months or more, they must report the conviction to the Council within seven days of the conviction. Of the 600-800 reports a year, quite a high proportion relate to minor convictions.
- If a teacher has been convicted of a specified offence under Schedule 2 of the Children's Act 2014, the Council must cancel their registration unless there is an exception in place
- Complaints by the public about teachers. When a member of the public has a concern about a teacher's behaviour, section 495(1) of the Education and Training Act requires the teacher's employer to be given a chance to investigate the concerns and attempt a resolution first. Complaints made directly to the Council will usually be referred to the teacher's employer if they have not yet had a chance to investigate it. If the complainant is unhappy with how the school or centre dealt with the issue, they can then raise their concerns with the Council if it relates to the conduct or competence of the teacher
- There are also some situations where a complaint can go directly to the Council, for example if the teacher isn't currently teaching, or the complainant has reasonable grounds to think a conflict of interest will prevent the teacher's employer from dealing with the complaint effectively; and
- The Council also initiates a small number of own motions each year. It has the authority to initiate an inquiry without needing a formal complaint or mandatory report. Between 2019 and 2024, the Council initiated 28 own motions.

In 2024, Martin Jenkins was commissioned by the Council to undertake an independent review of the agency's conduct and disciplinary processes¹⁸. The Review found that:

- Mandatory reports made up around 80% of complaints and nearly 40% resulted in no further action
- The Triage process had become time consuming with all complaints being referred to it, despite a legislative option (Rule 11a) to make a decision before Triage
- Any 'on the business' focus was hampered by manual processes and workloads (partially caused by Triage responsibilities)
- Some data indicated there had been material improvements, such as a decline in the number of complaints, and the Annual Report figures indicate that a higher proportion of Complaints Assessment Committee (CAC) cases were being resolved within eight months of being referred
- However, the Disciplinary Tribunal process appeared to have got slower and there are a significant number of cold cases (45) still unresolved after over four years
- Investment in the new IT system, Salesforce, had made a significant difference to workflows, but it still suffered from incomplete, or inconsistently recorded data fields, and there were several spreadsheets with key information operating outside of the IT system. There was also very limited reporting produced regularly from the system; and
- The review was hindered by the difficulty in obtaining and analysing key data.

The Review highlighted the need for ongoing improvements in the Teaching Council's disciplinary processes to ensure they were efficient, transparent, and fair.

It made multiple recommendations related to efficiency, timeliness, procedural fairness and costs, along with suggestions regarding the prioritisation and timing of recommendations.

The Martin Jenkins Report appears to have been positively received by Council managers and staff. It is therefore disappointing to see that no formal reporting on progress to the recommendations appears to be being monitored at executive or board levels and that owners do not appear to have been assigned to each recommendation. I suggest more urgency is needed in this regard.

Concerns about the current state of the Council's conduct processes identified by interviewees included the following:

- The high costs entailed in conduct processes, which currently absorb a high proportion of fee and levy funding
- The lack of transparency in the process, for referrers, complainants and, often, the teacher themselves. It is often not clear where in the case management pipeline the case is, what the next steps are, and if there are any interim matters that might be acted upon
- The slowness of the process, particularly when it follows a criminal prosecution
- The seemingly ad hoc nature of the support provided to victims, witnesses and complainants, which as noted, appeared to vary by investigator
- The opacity of the Triage process and the core principles on which decisions are made there; and
- The reliance on some Police trained investigators, an in house lawyer and solicitors as Chairs of panels (rather than on formal experience and training across the team) for an understanding of prosecution file standards, criminal behaviour, comparative case law and penalties.

Based on interviews, I would add the following matters:

¹⁸ Martin Jenkins, Review of the conduct disciplinary process, for the Teaching Council of New Zealand, February 2025.

- Post Triage, the relative lack of formal risk assessment and the lack of alignment of a risk classification to speed of handling
- The lack of an early case closure protocol which can mean that cases that are unlikely to proceed to the Tribunal clog the system
- The fact that not all investigators or relevant managers are formally trained in investigations, case management, dealing with high risk victims, witness interviewing, and safeguarding. There appears to be an in house view that formal training is not necessary and that training can be handled internally. The proportion of externally trained investigators (such as ex Police staff) in the team has also reduced of late. I would instead see formal training and external experience as mandatory, giving the sensitivity of the matters under investigation and the risk of traumatisation to vulnerable children or witnesses. As one interviewee put it, *'I'm not sure all those investigators are fully supported and qualified to be holding the risks that they are'*.
- The apparent lack of enforceability of penalties applied. I note that financial penalties appear to be provisioned in the Council's financial statements as doubtful debtors at a level of 80%
- The internal reliance on the in house legal team to backstop the quality of investigation files
- The lack of clear and consistent protocols in the team for engagement with employers, complainants, victims and others, as noted earlier
- The lack of training for investigators and tribunal members in crime science developments related to relevant criminality, such as grooming, misuse of social media, stalking, family harm, coercive control and so on; and
- The significant number of unallocated case files, along with relatively low caseloads, which might suggest low investigative capacity and/or a team of insufficient size or capability.

I suggest the Council considers contracting a third party to review, reassign or resolve the current inventory of cold case files. Each such case represents limbo for a complainant and for the teacher at the heart of the complaint. All parties must be given some form of closure.

I am also troubled by a practice referred to in policy as a 'Voluntary undertaking not to Teach'. This is an undertaking sought from an 'accused' teacher where the risks of continuing in the classroom or in contact with complainants or related parties appears high. It is essentially a request for the teacher to stand down (on pay) while their case goes through the process. There are criteria for such an action, it must meet the threshold set by the tribunal for a suspension and is regularly reviewed. Some respondents believed the intent was in part to ensure the teacher had some agency over the process.

I am not sure that, in serious cases, any such agency or complexity is appropriate. Either the matter is such on its face that the teacher warrants formal suspension or not, pending the investigation. Once such an undertaking or suspension is in place, one would also think that these high risk cases would be fast tracked. It is not clear to me that this is consistently the case. Nor is it clear that the Board, (as opposed to the executive) has sufficient visibility over such situations.

In summary, there are significant opportunities to improve the targeting to risk, urgency, efficiency and timeliness of the conduct process. Justice delayed is very often justice denied.

Above all, I suggest that no untrained investigators should be engaging with complainants, vulnerable victims or witnesses or preparing and managing prosecution files. The Council should leave victim and witness engagement as far as possible to trained Police and rely on any criminal file to the fullest extent possible, in order to minimise retraumatisation.

Finally, and with the greatest respect to the independence of the quasi-judicial bodies of the Committee and Tribunal, some interviewees were not certain that the penalties being applied in some cases were proportionate to the risks or harm entailed. Some wondered if the rehabilitative view that guides

competency decisions leaked into the conduct work. Without being on these panels, it is impossible to know.

But, from a child safety point of view, I think most parents, members of the public and teachers themselves would argue that the bar must be set very high for teachers and others who work in schools, kura or early childhood centres. From a crime perspective, we also know that serious child predators are manipulative, skilled at going under the radar and almost never rehabilitated. The current Royal Commission on abuse in state care has brought such issues to the forefront.

There may be an opportunity for the Council reflect and take expert advice on its induction and on-going support to Committee and Tribunal members to ensure they have regular access to briefings on the relevant crime trends and jurisprudence.

Further, I suggest that the Board considers commissioning an audit of recent cases, to be undertaken by an experienced legal professional, to test the alignment between the decisions being made in these quasi-judicial bodies and those being made in the courts.

CHILD SAFETY

The Teaching Council has statutory obligations in regard to child safety. At present, I believe these are treated through a reactive, as opposed to a regulatory lens. The Council must frame up this critical aspect of its role in a more rigorous and strategic way.

As noted, if safeguarding principles were at the front and centre of the Council's regulatory work, this may assist in addressing the issues raised above regarding conduct and competency. The Children's Act 2014 and Schedule 4 of the Education and Training Act 2020 both require child safety policies in schools. The Council often advises schools in regard to this. Such a policy, based on safeguarding principles, should *also* be central to the work of the Council itself.

There is an opportunity here for the Council to articulate a set of child safeguarding principles, reflective of the legislation, Code and Standards, as foundational to all its work. Although the Code requires teachers to commit to '*promoting the well-being of learners and protecting them from harm*', this may need to be supported by this deeper set of principles.

This is not to confuse the Council's role as an independent statutory body for the registration and regulation of teachers with the statutory obligations on schools, as employers, to set and maintain child safety policies, or the Ministry's role in requiring these.

It is rather, to reinforce a mindset within the Council that should form a conceptual backdrop to all its regulatory work.

PEOPLE MANAGEMENT

WORKFORCE MANAGEMENT

The Council has adopted a flexible workforce model, with considerable flexibility for a geographically distributed staff, including generous working from home provisions. Some 40% of staff who responded to the Council's 2024 engagement survey reported work life balance and flexibility as top attractors for working at the Council.

In recent years, the Council has invested in developing a workforce strategy with a distinctively te Ao Māori based approach, along with a set of outcomes metrics. Dashboard reporting has been refined. The HR team is large for the size of the organisation and appears active. Respondents perceived there to have been a significant number of restructuring or job change exercises over the last few years.

Much of the work is ambitious from an organisational development perspective. This is challenging given the size of the agency. Going forward, it will also be important to do the basics well. Staff reported some frustrations in terms of basic HR service delivery.

Further, there are also signs that for some staff, the HR function is seen as protective of leadership as opposed to being a safe and confidential space through which to find support.

There is also some evidence in the most recent (and generally quite positive) engagement survey, that *alignment* between the executive leadership and some staff may be mixed, particularly with regard to staff responses to the survey question of whether it is safe to *'tell the truth even when it may be unpopular'*.

While I make detailed suggestions below about opportunities to improve workforce management over the five year horizon, it will not be possible to action all of them given current agency resourcing. The Board and executive team should consider which of the suggestions outlined below will have most impact and are feasible within available resources.

POLICIES AND PERFORMANCE REPORTING

- Some HR policies appear to need updating. Rather than mounting a large policy project, there are opportunities to replicate the policies of like agencies and by this means ensure greater consistency with the approaches used in other statutory membership and regulatory bodies.
- HR performance reporting can be improved by a richer narrative in support of the new dashboard reporting, particularly at the Board level. Some of the current HR dashboard data is hard to penetrate. For example, turnover appears high (and is not hard to calculate in such a small entity) but this is not reflected in current dashboard reporting.

ATTRACTION AND RECRUITMENT

- The Council's recruitment proposition appears not to prioritise lived experience in the teaching profession or core regulatory skills. Instead, the philosophy appear to be to recruit for customer service skills and then promote staff internally into specialist roles. I am not convinced this the right approach. As noted, I suggest that the Council needs to maintain credibility with the profession by having a reasonable proportion of people with teaching experience. It needs to appoint appropriately trained investigators. It would also greatly benefit from recruiting more staff with technical regulatory experience.
- The agency needs to focus on developing strategies that foster the improved retention of staff. Turnover in some critical roles appears significant. Reasons for both attraction and exit need to be fully explored in order that they inform new recruitment value propositions.
- Applying innovative approaches to the recruitment of new talent. These could explore the use of secondments, exchanges and sharing staff with other agencies and partners.
- Indeed, thought need to be given to making the Council's workforce more porous with the profession. Regular rotations and secondments of experienced teachers, principals and leaders will help demystify the work of the Council, bring currency about the profession to the Council and assist in the growth of members of the profession.

ONBOARDING

- Investing in rigorous onboarding of new staff, through a staged induction programme. This is particularly important for staff in direct regulatory roles.

LEARNING AND PROFESSIONAL DEVELOPMENT

- As noted, strengthening the links between the Council's operations and evaluation and organisational learning loops to inform practice improvements.
- The need to strengthen and formalise professional supervision models and oversight in key areas, including decision making for registration and investigatory work.
- Developing a balanced portfolio of development activities for staff targeted to the Council's strategy and which aligns the needs of both employees and the organisation. This could replace the more ad hoc and potentially inefficient model, driven by individual initiative, that currently prevails.

REWARD AND RECOGNITION

- Reviewing the current remuneration strategy and structure, including the use of at risk payments.
- Reviewing the sizing of middle management and executive roles and the associated remuneration.

SPEAKING OUT

- The agency needs to work on developing an array of safe and confidential speaking out mechanisms for staff, across a range of channels. This needs to allow for those staff who do not wish to talk to HR.
- The results of these need to be acted upon with urgency and appropriately communicated back to those staff who raised them.

PROGRESSION AND PERFORMANCE

- Greater clarity around the performance and potential criteria used in the current talent mapping and management framework, along with moderation protocols.
- Investing in improved succession planning for all key roles, to ensure an objective and evidence based approach to promotions.
- Reviewing the current policy of preferring internal progression and promotions. While these are always to be encouraged where appropriate, the Council appears to make a point of moving generalist staff into technical specialist roles, rather than advertising these externally. This prevents the Council from establishing market benchmarks. It also has managers supervising functions of which they have no technical or career experience. I am not sure that the staff are always well prepared or trained for the new roles.

RETENTION AND EXIT

- Developing engagement and retention strategies that are focussed on monitoring cultural health and learning the lessons that arise from any regrettable talent losses. Engagement surveys and pulses should result in quality 'so what' reporting and action plans. Current post survey action plans appear overly high level.
- Running exit interviews and publicising insights drawn from these to senior leaders and the Board's People and Culture subcommittee.

ORGANISATIONAL CULTURE

As discussed above, the Council has a strongly mission driven and committed culture. Its overall engagement and pulse scores are strong.

However, there are also signs of dominant cliques, who may freeze out those who do not agree with them. The Council has sometimes appeared, to some interviewees, to prioritise pliability over relevant experience and technical expertise.

As the matters in this review are considered and planned for, it will be important to build on the undoubted strengths in agency culture and to ensure that a wide range of perspectives, skills and points of view are brought to bear on the transformation.

Likewise, any inappropriate behaviours should be acted upon directly, as opposed to being addressed obliquely or by structural changes.

PEOPLE PERFORMANCE MANAGEMENT

In theory, the Council has detailed frameworks and processes to support performance management, with a competency framework to support promotions and increments.

In practice, however, staff are unclear about what it takes to get ahead. This is managed as much by inference and 'in group/out group' dynamics as by using formal performance metrics, direct feedback or coaching systems.

Performance assessment conversations also appear to be inconsistent in quality. There is an opportunity to invest in coaching skills development for those managers requiring support in this area.

Low performance ratings are almost never assigned, with the distribution of performance metrics skewed toward the top end. More attention needs to be on addressing under-performing staff and managers; especially early in people's careers when they may need help in identifying their strengths and development areas.

HEALTH, SAFETY AND WELLBEING

Although wellbeing is a strong focus in internal communications, particularly in connection with cultural identity and confidence, I did not see or hear detailed evidence about Health and Safety induction, policies, systems and reporting. I am not sure that hazards – including the moral hazards entailed in investigating poor or criminal conduct – are regularly reviewed, or that bowtie exercises are undertaken on significant risks. I also suggest there may be opportunities to explore the following:

- More investment in health and safety governance at executive team and tier three levels
- Better links and more navigable interfaces between Health and Safety, risk management and standard operating procedures
- An easy to access health, safety and wellbeing reporting portal and clear protocols for investigations
- Better links between Health and Safety reporting and organisational policies
- Incentivising a positive culture around reporting to support precautionary approaches and encourage speaking out; and
- Richer reporting at Board level, including improved 'so what' narratives describing what has been done in response to emerging trends, incidents and new risks.

FINANCE AND RESOURCES

CORPORATE ENABLING FUNCTIONS

The Council has grouped all corporate enabling functions under a single tier two role, which may be too large a span of control going forward. In this section I examine opportunities to realign these functions to support the enhanced regulatory role I envisage for the agency in future. Once again, resources are limited, and the Board and executive will have to carefully prioritise the changes they make in these functional areas.

INFORMATION MANAGEMENT

I have addressed the opportunities before the Council with regard to data analytics at a number of points above.

The effective capture, analysis, sharing and use of data will be critical to any future vision and strategy the Council develops.

Above all, it will be foundational to its regulatory activity, from risk profiling, developing guidance to the system, through to developing and delivering monitoring programmes and enforcement activities.

Despite some early work in addressing some systems issues, in particular how data and intelligence is collected and stored, the Council still has a long way to go.

Key priorities should be developing and implementing a clear data strategy designed to ensure the following:

- The data and intelligence the Council needs is identified in a timely way on an ongoing basis. This should always be a collaborative exercise between the data and intelligence function, and front-line and strategy teams
- The data and intelligence needed is captured to appropriate quality standards and stored in a way that balances accessibility, useability and security; and
- The Council has the tools and capability to analyse and use the data and intelligence it captures, to provide both internal and systems insight and thought leadership.

In designing and implementing the data, intelligence and analytics strategy, the Council will also want to consider:

- The development of a data governance framework. Without such a framework there is a risk, for instance, that decisions about technology may dictate business requirements, rather than business requirements driving technology decisions
- The strategy should be developed and executed in close consultation with key business units. Of particular importance will be ensuring the strategy is aligned with – and facilitates – the use of technology, such as AI and machine learning, to support pattern making and risk assessment activity
- The Council should not be reluctant to use external expertise to drive the design and implementation of the strategy. In particular, consideration should be given to accessing expertise from other similar agencies in New Zealand that are further progressed in the implementation of data, intelligence and analytics strategies. Partnering with a fellow professional regulator may be helpful here

- The strategy should ensure the people capabilities needed to deliver the strategy are identified and an approach is developed to building those capabilities. Key technical capabilities should include a cyber security skill set; and
- The Council should ensure it has an appropriate level of understanding of teacher and principal/leader wants, needs and behaviours, especially with regard to high risk schools or settings. Internal expertise on customer or regulated party analytics is not yet sufficiently broad or deep. More systematic segmentation of the regulated community may be required. Deeper understanding of behavioural economics is also needed. Access to this expertise could be sourced from and shared with other regulatory agencies.

FINANCIAL AND ASSET MANAGEMENT

Financial management appears sound and financial reporting, particularly to the Board, is very detailed. However, the following matters may repay further attention:

- Variance narratives are prepared centrally by the finance function, relatively independently of budget holders. I suggest that managers with financial delegations should be held to account for the quality of budgeting and reforecasting, and should be responsible for variance reporting, with support from finance as business partner
- If managers are to be accountable budget holders in this way, they are likely to require some training in basic financial management practices
- I have concerns about the current practice of in year, non-transparent reinvestment of operating surpluses from other cost centres into the central project fund. This fund then appears to be used as the balancing item at year end. The strategic project portfolio should be budgeted as for any other cost centre and its overall financial performance should be monitored by portfolio governance bodies as well as being more visible to the Board
- Initial project triage and investment decision processes also need refinement, as does project benefits tracking and variances to initial business case and budget
- Reforecasting processes appear also to be managed centrally, which allows accountable managers to abrogate responsibility for considering risks to the financial performance of their cost centres
- As noted above, there seems to be difficulty in collecting financial penalties from teachers who have been subject to these as the result of the disciplinary process. This would bear further investigation; and
- The Council's current, central Wellington location incurs a significant cost in annual rental expenditure. While the current rent does not appear to be inconsistent with market rates, the Council may not need its premium location, given its flexible working approaches. There is also the matter of optics here, given its reliance on fee and levy income which teachers generally regard as onerous.

There is also a strategic financial issue here that has been a perennial point of discussion over the Council's history, and on which a number of interviewees commented. At present, the Council is funded almost entirely from fees and levies, in spite of the fact that the current Government is presently paying these on behalf of teachers. As a proportion of operating expenditure, the conduct process is a high cost enterprise, though the volume of cases is relatively small. That is, 100% of the profession is paying a significant proportion of the cost of dealing with less than 1% of the whole.

Consideration could be given, as is the case for some other regulatory bodies, to a ‘public good’ revenue flow, funded by the Crown, being applied to this aspect of the Council’s operations. Other regulators have such arrangements, often while also delivering independent statutory functions.

SHARED SERVICES

It is extremely challenging for small agencies to carry the costs of the range of corporate enabling services needed to deliver on their strategy.

Over time, the Council may wish to explore partnering to access services via some shared arrangements. This could be with other membership and regulatory agencies, or with other system agencies, where compatible with the Council’s independence.

For example, should the Council wish to acquire a new case management system at some point, it would make sense that this was coinvested in or hosted by a larger agency. Indeed, security and privacy risks may be mitigated by such an arrangement.

RISK MANAGEMENT

As in many small agencies, this function is currently mostly focused on compliance activity. It has been active in this regard, such as with the 2022 Deloitte ‘Actual and Reasonable’ Review of current fee and levy calculations and last year’s information security assessment.

The challenge ahead, as the Council transforms, will be to maintain a strong assurance function while also growing a proactive and comprehensive risk management function that can address, with the executive team and Board, the range of strategic , financial and operational risks the Council faces.

If it is to develop as a risk based regulator, the Council will also need to hold a dynamic, system based risk framework to enable it to target its interventions to areas of highest risk and operate to the prevention based model outlined above. This will need to be carefully managed in conjunction with the new data and intelligence function.

CAPABILITY TO IMPLEMENT CHANGE

The extensive and transformational changes to the vision, strategy and operating model for the teaching Council suggested here should be explicitly planned and designed as a system, which can be progressively implemented over the five year horizon.

The Council. In my view, cannot get from where it is now to where it needs to can be via a series of incremental turns of the dial. The suggestions made by respondents and outlined in this report, taken together, amount to transformational change and entirely new ways of working in some areas.

This will create a change leadership challenge for the Board and executive team. They should resist any temptation to move precipitately, before having planned the end-to-end effort. Discipline will be needed to drive change from the top in a manner that strengthens the golden thread: from vision and purpose, through organisational strategy into operating model, a new and strengthened regulatory framework and organisational and individual performance.

There are some specific change leadership matters that warrant particular attention as the Board considers the way forward.

DRIVE THE TRANSFORMATION FROM A BIG ORGANISING IDEA

The Teaching Council is a mission driven organisation. Those who work there see a higher purpose in their work for the profession. They are highly motivated in the interests of children, parents and the public. They believe passionately in the skill, dignity and mana of the teaching profession.

Because of this head and heart culture, change will only succeed if it is driven from a compelling and visceral idea, particularly when the change is transformative in scale and likely to be of some duration.

To my mind, this unifying idea is about maintaining public trust and confidence in the teaching profession. This is something extrinsic to the profession that can be measured. It goes to:

- A stewardship-based or kaitiakitanga approach to the coming changes. The Council must act in the interests of future children, teachers and governments, and bring a strategic view to the work
- Securing social license for the Council to act in its regulatory role, as guardian of the gate to the profession through its registration certification functions, and as regulator of competence and conduct
- A social investment framing where the Council ensures the continuation of high levels of public trust and confidence by using data led approaches to the prevention of harm. The more the Council uses its tools as a regulator to understand the drivers of poor conduct and low competence, the more it can ensure system levers are used to address root causes, rather than symptoms and harm; and
- A learning orientation where the Council uses its frameworks and tools to continuously learn about the profession it supports and monitors. It then distributes that learning across the wider education ecosystem.

Anchoring change in a powerful idea such as this, and finding ways to measure the lift in public trust and confidence, will act as a new golden thread for the Council; from vision to strategy and operating model, into the work of teams and individual staff members.

TIMEBOX THE CHANGES

The Teaching Council has experienced a great deal of change, in its various incarnations since inception, and the risk with yet another transformation is that the profession sees it as inward focused, bending to political winds or as not being relevant to their needs. The Council needs to plan these changes promptly, secure some early, confidence building wins in the first quarter of 2026, and then stabilise and settle the agency to embed the changes for the long haul. The changes must be designed to endure and stick, regardless of any volatility in the operating or authorising environments.

To maintain the energy of staff and ensure pace and focus, the Board and executive led refresh of vision, strategy and operating model should be completed in the next three to six months, though the strategic priorities will obviously be executed over a much longer, multi-year time frame.

The shift to developing a new regulatory framework and approach will take time and appropriate engagement with the profession, but process and timeliness improvements in core competence and conduct processes should be evident over the next 12 months.

In a later section of this report I suggest a roadmap for more detailed prioritisation and sequencing of the changes suggested here.

EFFECTIVE CHANGE IS LEADER LED

Change does not happen because a Board says it will, or because of technologies, a new strategy or a revised set of values. Change works and becomes sustainable because it is championed and driven by effective leaders. The Teaching Council will need to support and equip its leaders at all levels to drive change. It will need the right people with the right skills in the right places.

While I do not usually recommend structural changes up front, as these should follow strategy, in this case I suggest the Board must consider whether it has the right mix of portfolios and spans of control in the current management structure. It will also need to reflect on how it can support the all-important third tier of managers to understand, drive and be accountable for change outcomes.

BALANCING BEING ON AND IN THE BUSINESS

Once the process of refreshing strategy begins, and the new settings are being implemented, it will be critically important that leaders at all levels do not underestimate the level of energy and resources required to sustain the management of business as usual in addition to leading the more strategic change programme.

Leaders, if they are correctly fulfilling their stewardship obligations, must operate today's business as well as that of tomorrow.

This entails *both* being highly engaged with the profession *and* creating the time and space to lift their eyes to the horizon. A modern, agile regulator must be constantly scanning for future trends as well as interpreting and responding to real time data.

Vital to this balance will be the use of seconded or expert temporary resources, careful agenda management to ensure that the immediate does not crowd out the strategic and coaching for key change leaders as required.

It will also be critical to report on progress on the change journey, so that course corrections can be made in real time, before problems threaten the achievement of key outcomes.

CHANGE WILL REQUIRE CROSS SYSTEM EFFORT

Many of the changes suggested in this report will need engagement and sponsorship with and by other agencies, in the wider education ecosystem and beyond. Some of the sector issues touched on here are long standing problems that the Council does not have the levers or resources to resolve on its own.

It may be though, that the planets are now aligning for a more connected approach to system change. The Council has a new Board. There is new leadership in key agencies. There is an overall programme of reform. The Council has done much to strengthen key relationships, such as those with sector unions. These circumstances create the environment for the Council to think creatively about how it can take some of the opportunities before it while balancing efficiency and resources.

PRIORITISE COMMUNICATIONS AND ENGAGEMENT

The coming changes should not be driven from internal requirements to modernise systems and processes, but from the need to act as an enabler and steward of the teaching profession and to build public trust and confidence in that profession.

Communicating and engaging on the proposed changes across the profession and system will be challenging, given the already high change tempo entailed in legislative changes, curriculum implementation, qualifications redesign and other current issues. Teachers, centre leaders, principals, unions and peak bodies in particular, will not have a lot of band width with which to engage.

However, it is clear from my interviews with stakeholders that there is real appetite and support for the Council to lift its regulatory game, improve services and shift to a more data driven and prevention based approach. As one put it, *'The Council is like the collective brain of the profession... it knows a lot about a lot. But it can do so much more with that intelligence. I'm keen for its voice to be heard.'*

No matter what their politics, stakeholders want this agency to succeed. They would like it to be more stable and its strategy more enduring. They are ready and willing to engage with its leaders to reposition it for the future.

WHAT GOOD WILL LOOK LIKE IN 2030

By 2030, the Teaching Council will have built on its track record of stakeholder and public trust and confidence. It will be seen as a firm, fair and accessible regulator by teachers, education sector leaders, partner agencies, communities and parents.

All stakeholders will have a clear understanding of the Council's system stewardship role and its strategy and regulatory approach. Its guidance will be seen as practical, relevant and proactive. There will be confidence that the guidance is being applied consistently and that interventions and enforcement outcomes are even handed and fair.

The Council will focus on the key system interventions and treatments that create the greatest value for the teaching profession, learners and the public. It will not sweat the small stuff. It will be focussed on being well understood and predictable, not on being liked.

Its regulatory approach will strike a balance between educating, influencing and taking enforcement action in ensuring teachers conduct themselves in a way which is delivering safe and high quality educational outcomes for children, communities and New Zealand. In doing so, the Council will be carefully balancing harm, risk, innovation and natural justice. It will be respected for doing so in a fair and open manner. Principals, leaders and new teachers will all report that the Council has played its part in equipping beginning teachers well for the challenges of the present and future classroom.

The Council's strategy and planning processes will be outward and forward-looking and alive to horizon risks. They will take account of the behaviours and interests of teachers and education system employers. They will be the subject of consultation with stakeholders and directed at all times by an executive team with clear strategic focus. All parts of the Council will understand their role in delivering the strategy, supported by clear performance expectations aligned to the strategy.

The organisational strategy and regulatory approach will be supported by insights and horizon scanning. These will be developed through data and intelligence that has been collected and analysed using up to date technology and tools. Data analytics will be informed by a contemporary understanding and well-calibrated assessment of the needs, wants and behaviours of the regulated profession. Council staff will be intuitive, inquisitive and courageous in how they generate, analyse and use data and intelligence.

In its enforcement roles, the Council as regulator will have better supported teachers and professional leaders to understand what good - and poor - conduct looks like and how to report it. Its disciplinary processes will be timely, proportionate to risk, child and victim focussed, while balancing natural justice for the alleged offender. The Council will have navigated a peak in mandatory reporting following its guidance and will now be balancing preventive, top of the cliff interventions with timely, proportionate bottom of the cliff enforcement.

By 2030, the Council will be effectively leveraging its role across the entire New Zealand education ecosystem. While each agency has a different statutory function and role, it will be – and be seen – as a genuine 'triple peak' with ERO and NZQA. It will be viewed as a thought leader on teacher competence and conduct.

The Council will also be viewed as a dynamic and proactive regulator with an adaptive and flexible culture. Its organisational structure, delegations and information flows will enable agile and speedy decision-making in all aspects of operations.

Internally, the Board will have effectively managed the balance between management and governance. It will take a fiduciary approach to its role and display a strong stewardship commitment.

The executive will operate as a strong and unified team, collectively holding themselves to account for strategy execution and the achievement of key system outcomes.

The agency will be known for its compelling recruitment brand. Working at the Council will be viewed as a rite of passage by many in the teaching profession it regulates. It will attract talented people with a passion for improving trust and confidence in the profession in the interest of children's safety and learning. Everyone who works in the agency will understand how they play a role in contributing to these strategic system outcomes.

The diversity of the Council's staff will have increased. Staff will use a creative array of approaches to problem solving, including regulatory design skills, Te Ao Māori based approaches and co design of interventions with partners and those in the regulated profession.

Many of the things the agency does well now will have been made more systematic and thus more sustainable. Areas of new investment, such as AI and behavioural analysis, will be helping to refine system interventions and strengthen the Council's stewardship mindset.

The Council will constantly display the core values and behaviours that have earned it the trust, confidence and respect of its partners, the public and the profession: accessibility, empathy, agility, humility, transparency and fairness. To these, it will have added systems thinking and stewardship to ensure that the teaching profession is well placed to navigate future challenges in an increasingly volatile and complex operating environment.

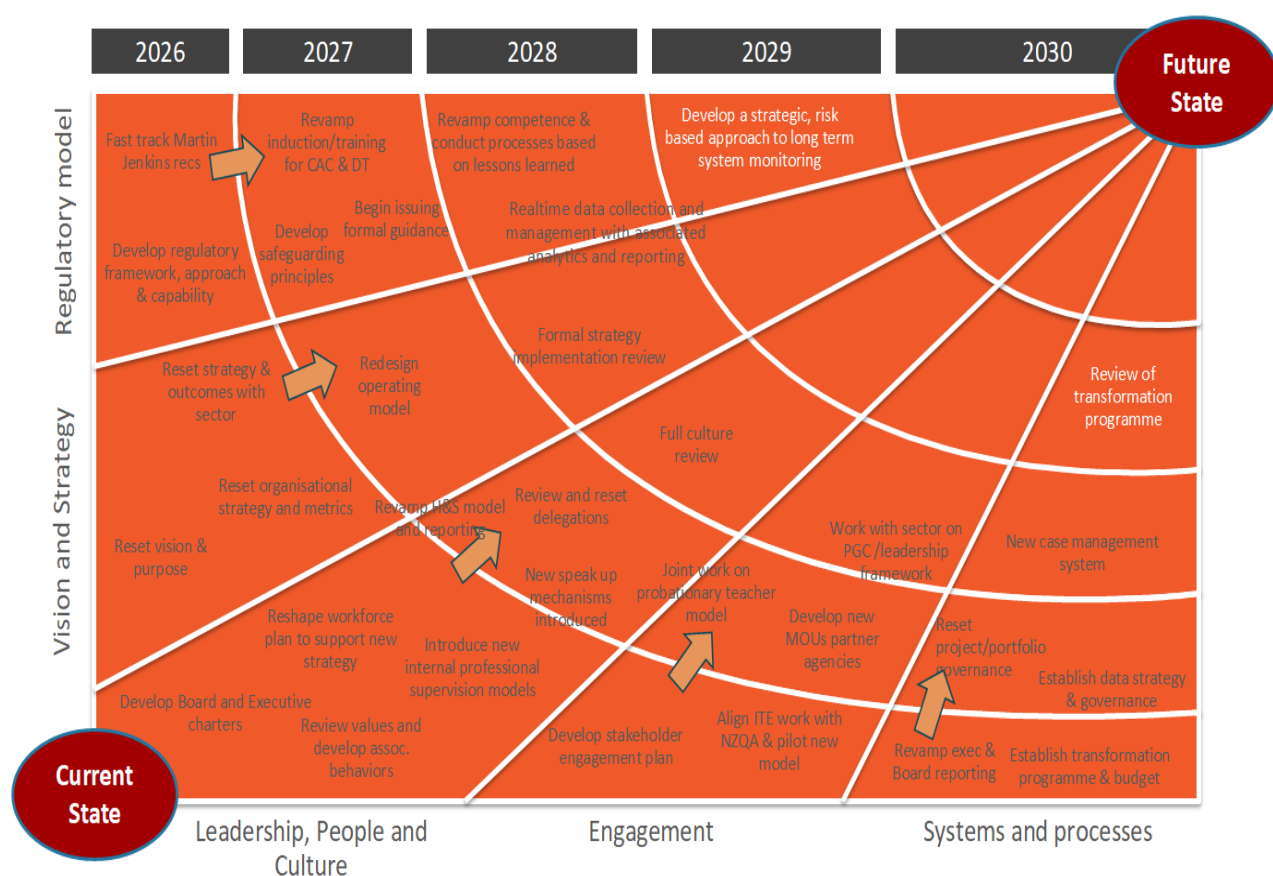
INDICATIVE IMPLEMENTATION ROADMAP

A significant number of suggestions have been made throughout this report for consideration by the Board and executive team. Given their resources, they cannot implement all of them.

To assist them in reflecting on the sequencing and execution of the changes as they develop their Action Plan in response to this report, I include a high level and indicative implementation road map here. This is intended to provide a *possible* approach to implementation over the first three years of the five year horizon. The actual approach will be dependent on available resources, and the interface of these suggestions with other, in flight projects.

It will be important that monitoring agencies do not use the suggestions made in this report as 'recommendations that must be monitored.' I have deliberately not used formal recommendations to avoid placing undue expectations on a small agency. The chart below is intended only to stimulate debate at Board and management levels.

Transformation roadmap...



APPENDIX ONE: CURRENT TEACHING COUNCIL STRATEGY AND OUTCOMES FRAMEWORK

Strategic Plan 2024-2029

Our vision

Strengthening the mana of teaching, so teachers can change lives

Te Tiriti o Waitangi Commitment

Te Tiriti o Waitangi provides a basis for enduring relationships and power-sharing between Māori, and those represented by the Crown, their descendants, and other peoples who have settled here and built a life upon its legacy.

Te Whare o Matatū | the House of the Teaching Profession provides a space to express and uphold the values of the teaching profession and reflect the intentions of Te Tiriti o Waitangi relating to governance, self-determination, equity, and cultural and spiritual affirmation, which are visible in the work we do and through our values of whakamana, manaakitanga, pono, and whanaungatanga.

Our five strategic priorities

Examples in practice

Longer-term outcomes sought

Supporting teachers to manage current and emerging challenges in teaching

We will support teachers to keep up with and respond to key changes in the teaching environment and wider society that affect their roles.

- Support teachers in addressing the growing diversity and complexity of learner needs, the challenges posed by artificial intelligence, and navigating the impact of climate change.
- Strengthen Initial Teacher Education, integrating evidence-based teaching to help new teachers to become successful fully certificated teachers.
- Strengthen induction and mentoring to support and sustain new teachers to succeed.
- Review the Code and Standards to ensure they describe and uphold excellent teaching and professional practice.
- Develop an inclusive education framework to help teachers recognise and address diversity, so every learner feels valued, respected, and able to fully participate regardless of their background, identity, or abilities.

- We work with teachers to identify key challenges and create solutions that support effective teaching, and therefore learning.
- We work with the sector to facilitate access to high-quality, practical and evidence-based policies and tools that support quality teaching and learning.

Proudly communicating the value and expertise of teachers as professionals

Not anyone can be a teacher; it's a profession requiring high levels of knowledge, skills, and personal qualities - we want to recognise, honour, and celebrate teachers for their hard work and expertise.

- Communicate the importance of teachers and their expertise as professionals, through various channels including media, to family or whānau, the public, and government.
- Advocate for teachers to have a say in discussions and decisions where their expertise supports positive system design improvements.
- Advocate for an education system that enables teachers to teach confidently and effectively.

- The public has trust and confidence in teachers, seeing teaching as a skilled profession.
- Teachers feel more valued and supported by the public and the Teaching Council.
- More teachers actively promote teaching as a great profession, and see the value placed on it by others.
- We bring teachers' skills, knowledge, and experience to contribute to policy advice to government and other key decision-makers in the education system.

Growing the leadership capabilities of all teachers

Support teachers in growing their leadership abilities by providing access to proven approaches and research, and opportunities to further develop their skills.

- Help teachers build leadership skills through trialling self-evaluation tools and shared resources.
- Provide micro-credentials and informal training opportunities for teachers to develop their leadership skills.
- Collaborate across the education system to make it easier for teachers to progress into their leadership roles.

- More teachers access resources and support for personal leadership development.
- More teachers develop their leadership skills and receive acknowledgment within the profession.

Supporting principals and ECE leaders to lead organisations

We will work with leaders and principals, so they have access to effective leadership support.

- Improve our connections with other parts of the education system to work together better and faster on improving the leadership capability pipeline to leadership roles.
- Provide opportunities for principals and ECE leaders to learn about leadership and discuss ideas together through Rauhuia | Leadership space.
- Start by identifying where we are at with educational leadership skills across our system and keep track of progress over time.

- We have a clear understanding across the education eco-system of how well we are progressing towards the Leadership Strategy, including areas for improvement, and how the Teaching Council and other education groups support system progress.
- There are clear pathways into principal and ECE leadership roles.

Building partnerships to reflect and embody our Tangata Tiriti responsibilities in our organisation

We support the aspirations of our Tangata Whenua partners and reflect these in our organisation design and decision-making.

- Collaborate with experts across the teaching profession to better understand our responsibilities outlined in Te Tiriti o Waitangi and how they are embodied in the Teaching Council's policies and processes.
- Work with partners to support mana motuhake for those working in Māori medium.
- Explore the development of education pathways for Pacific and other Tangata Tiriti peoples.

- Our organisation's design, policies, and decisions reflect the aspirations of Tangata Whenua.
- We work with our partners to identify and create the structures and space for Tangata Whenua and Tangata Tiriti to create new education pathways.
- Teaching becomes more accessible, and the teaching workforce becomes more diverse and inclusive as a result.
- Our organisational culture is healthy, culturally safe, adaptive, and inclusive, ensuring the effective use of resources to achieve our strategic outcomes.

Teaching Council of Aotearoa New Zealand Outcomes Framework

Our outcomes framework shows how we measure progress across our Strategic Priorities

Our Vision

Te Tiriti o Waitangi

Commitment

Te Tiriti o Waitangi provides a basis for enduring relationships and power-sharing between Māori, and those represented by the Crown, their descendants, and other peoples who have settled here and built a life upon its legacy.

Te Whare o Matatū | the House of the Teaching Profession provides a space to express and uphold the values of the teaching profession and reflect the intentions of Te Tiriti o Waitangi relating to governance, self-determination, equity, and cultural and spiritual affirmation, which are visible in the work we do and through our values of wākamana, manaakitanga, pono, and wānauŋgātanga

Strengthening the mana of teaching, so teachers can change lives.

Strategic Priorities

What we focus on in the next five years

Supporting teachers to manage current and emerging challenges in teaching

Proudly communicating the value and expertise of teachers as professionals

Growing the leadership capabilities of all teachers

Supporting principals and ECE leaders to lead organisations

Building partnerships to reflect and embody our tangata tiriti responsibilities in our organisation

We will support teachers to keep up with and respond to key changes in the teaching environment and wider society that affect their roles

Not anyone can be a teacher, it's a profession requiring high levels of knowledge, skills, and personal qualities - we want to recognise, honour, and celebrate teachers for their hard work and expertise

Support teachers in growing their leadership abilities by providing access to proven approaches and research, and opportunities to further develop their skills

We will work with leaders and principals, so they have access to effective leadership support

We support the aspirations of our tangata whenua partners and reflect these in our organisation design and decision-making

Impact we make

Our impact statements collectively represent how we will assess progress on delivering to our strategic priorities and our Vision.

- All beginning teachers participate in relevant induction and mentoring
- The public understands that teaching requires a high level of technical skills and expertise
- Targeted leadership learning offerings for all teachers are relevant
- Targeted leadership learning offerings for all Principals and ECE leaders are relevant
- Our commitments to being Tiriti led and value-based are understood by everyone at the Council
- Teachers are confident to address the complexity of learner needs
- The public is confident that teachers meet high standards of ethical behaviour and high-quality teaching practice
- The progress of leadership capability within the education system is visible
- Teachers are culturally responsive
- Teachers retain agency in their teaching
- Teachers feel a strong sense of belonging to their profession
- Teachers trust the Teaching Council and are actively engaged with the Council's activities
- Teacher pathways through the Council for tangata whenua and tangata tiriti is visible

Our organisation's effectiveness is enhanced

- Our people are empowered and motivated to focus on mana and wellbeing
- Council's performance is measured and understood
- Data security is maintained so teachers have trust and confidence in our digital system
- Our leaders are enabled to improve organisational culture and performance
- Council's teams are supported
- ICT innovation drives the Council's operational efficiency and performance

Measuring Performance

Performance monitoring and reporting

Our impact statements are measured using a suite of performance measures, including impact measures and operational excellence measures.

APPENDIX TWO: CURRENT OPERATING MODEL

The Council's current state operating model is anchored in the conceptual and cultural framework Te Whare o Te Matatū that represents the teaching profession in Aotearoa. It is both a physical metaphor and strategic anchor, symbolising a place where all teachers belong, are valued, and can grow their mana, hauora (wellbeing), competence, and confidence. It expresses the Council's role as *kaitiaki* (guardian) of the profession and its commitment to safe, high-quality leadership, teaching, and learning for every ākonga.



The whare is Tiriti-led and values-based, reflecting partnership between Tangata Whenua and Tangata Tiriti. The two maihi (bargeboards) represent these partners; the koruru (gable mask) symbolises the forward-looking nature of strategy; and the amo (carved supports) hold the priorities, goals, and actions of the Strategic Plan. This design embeds concepts such as mana orite (equity), mana motuhake (self-determination), and Māori values holding authority.

- **Ngā pou o te whare (pillars)** represent the Council's statutory functions and strategic priorities (e.g., registration, standards, ITE, professional responsibility, leadership).
- **Ngā Pātū o te Whare (Wall of Identity)** is a symbolic framework that honours the rich diversity of teachers across Aotearoa New Zealand, celebrating their unique identities, roles, and stories, and affirming that every teacher has a valued place and purpose within an inclusive, culturally grounded education system.
- **Miromiro bird** appears on the maihi as a messenger and connector, symbolising foresight, knowledge-sharing, and responsiveness.

The whare stands on the Council's core values: Whakamana (empowerment), Manaakitanga (care), Pono (integrity), and Whanaungatanga (relationships). These values underpin every pou and guide behaviour, decision-making, and engagement.

Te Whare o Te Matatū acts as the mauri stone (life force) of the Strategic Plan. Each pou aligns with a workstream, ensuring the plan is lived through daily practice. It provides a shared narrative for staff, stakeholders, and the profession, reinforcing identity and purpose.