

House of Representatives

Supplementary Order Paper

Wednesday, 26 November 2014

Education Amendment Bill (No 2)

Proposed amendments

Catherine Delahunty, in Committee, to move the following amendments:

Clause 38

In *clause 38*, after *new section 388(1)(e)* (page 58, after line 7), insert:

- “(f) in respect of elections required by **Schedule 22, clause 1(1)(b)**, all teachers that are registered with the Teachers Council and hold a current practising certificate to be eligible to vote at the elections—
 - “(i) for the manner in which the elections are to be conducted; and
 - “(ii) for the method and procedures for determining the results of the election.”

Schedule 3

In *Schedule 3*, *new Schedule 22*, replace clause 1(1) (page 89, lines 5 to 6), with:

- “(1) Members of the Education Council must be appointed as follows:
 - “(a) 4 of the 9 members must be appointed by the Minister in accordance with the criteria outlined in **clause 5** of this schedule; and
 - “(b) 5 of the 9 members must be those persons who have been duly elected, in elections conducted by the Council in accordance with rules made by the Council under this Act, from amongst and by each of the following groups of teachers who are registered and hold practising certificates under this Act:
 - “(i) early childhood teachers:
 - “(ii) primary school teachers at state and state-integrated schools:

- “(iii) secondary school teachers at state and state-integrated schools:
 - “(iv) primary school principals at state and state-integrated schools:
 - “(v) secondary school principals at state and state-integrated schools.”
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Explanatory note

Schedule 3, new schedule 22 outlines the nature of the appointment of members to the new Education Council of Aotearoa of New Zealand (EDUCANZ), which is the body that the Government proposes to introduce to take over from the Teachers Council of New Zealand.

Amongst other things, *new schedule 22* would empower the Minister to appoint all members of EDUCANZ, with as few as five members being people who are registered and hold a current practising certificate under the Act. In making the appointment, the Minister must consider the “collective skills, experience, and knowledge making up the overall composition” of the Council and would only require the Minister to have regard to any candidate’s ability to discharge the duties as a member – which may or may not include “knowledge of education, experience of governance, leadership experience and skills, financial skills, and understanding of the partnership principles of the Treaty of Waitangi”.

This Supplementary Order Paper instead proposes that there be a mixed membership, with 4 appointments being made by the Minister, in accordance with the proposed criteria outlined in *new schedule 22, clause 1(5)* and the remaining 5 appointments being elected by registered teachers holding current practising certificates.

As a consequential amendment, it is proposed the new body be given the power to make rules relating to the election process, including the conduct of those elections, and the method and process for determining the result of any election. The rationale for this Supplementary Order Paper is to retain roughly the current balance of elected and appointed members of the Council. The absence of elections in the Bill has been widely criticised by the teaching profession as undemocratic and putting them at a disadvantage compared with the members of other professions in New Zealand who nearly all have the right to elect some members to their registration body.
