

Background

1. This paper sets out the implications of delaying the passage of the EAB until the next sitting block. Only provisions that would be impacted have been discussed.

Partnership schools kura hourua

2. The Bill removes the legislative framework for partnership schools kura hourua (partnership schools). If the Bill is delayed and the model remains in place there will be no impact on the termination of the current partnership school contracts as the termination process is separate to the legislative change.
3. However, the Bill includes two amendments to the Education Act 1989 to support the establishment of new State schools that will replace the partnership schools.
4. The first is in clause 12A of the Bill, which provides transition provisions for staff at a partnership school to have a preferential right of employment at a new State school that is being established to replace the partnership school.
5. Schools generally begin recruitment for the following year toward the end of Term 3, following receipt of their provisional staffing entitlement notices.
6. This means that the new State schools that have been established need to begin employing staff shortly ahead of the 2019 school year. If the Bill is delayed, this recruitment process is likely to be complete or nearing completion by the time the Bill passes.
7. This will also mean that, if there is uncertainty for staff at partnership schools around employment for next year, they may start looking for other jobs now.
8. The Bill also includes provision to enable a body to be named as having a special affiliation with a designated character school or a responsibility for its different character.
9. This amendment was proposed to meet concerns from Sponsors, in particular He Puna Marama Trust, that the State school model would mean that the Trust could no longer control the character of the school.

Strategic planning and reporting

10. Whilst a delay in the commencement of the Bill until the end of October would not have significant implications for the new planning and reporting process for schools, delaying the passage of the Bill until next year would have major implications for the new strategic planning and reporting framework.
11. The new strategic planning and reporting framework is currently due to come into effect on 1 January 2019. The EAB will delay this commencement until 1 January 2020.
12. If the passage of the EAB were to be postponed until next year, we would need to rapidly develop regulations and guidance to ensure schools have strategic plans in place for next year and are able to comply with the new framework. There would also be no statement of National Education and Learning Priorities in place for schools to consider in their strategic planning.
13. We would not be able to consult with the sector on the development of the regulations, and this timeline would not leave sufficient time for schools to confidently shift to the new framework.