Budget Sensitive
Office of the Minister of Education

Chair
Cabinet Social Policy Committee

Education Work Programme (0 to 18 years): Next Three Years

Proposal

1. This paper provides an update on our work programme for the education system. It combines next steps for current initiatives and the implementation of our manifesto commitments. My intention is to continue to build capability across the education system, while seeking greater coherence, consistency, and collaboration to accelerate achievement for every student.

2. This paper outlines ongoing work on:
   - Investing in Educational Success
   - Māori medium education and secondary to tertiary pathways

3. This paper also seeks agreement to next steps in:
   - Updating the special education system
   - Developing the continuity of early learning (0 to 8 years)
   - Reviewing Careers New Zealand
   - Reviewing the Education Act 1989 (0 to 18 years)
   - Reviewing the funding systems for early childhood education and schooling.

4. Two further papers will seek decisions on the design and implementation of Investing in Educational Success, and on the Government’s response to the Education and Science Select Committee’s report on its inquiry into engaging parents in the education of their children.

Executive summary

5. We have made substantial progress since we last considered our medium-term strategy for education, agreed in 2012 [CAB Min (12) 9/2 refers]. Significant achievements have been made. We also have new insights into the education system, the drivers of change and the areas for attention. This has shaped our ongoing focus on:
   - Raising participation and achievement in education through our Better Public Services targets
• Strengthening the quality and status of teaching and school leadership
• Providing a data-rich environment for schools, parents and communities to drive better performance
• Strengthening Boards of Trustees and the role of parents
• Supporting 21st century learning infrastructure.

6. Our work programme for the next three years builds on these foundations and insights. It will seek greater coherence and consistency in the way the system operates by using better data to target ever more precisely those students at most risk of poor education outcomes, and by working with other agencies to deliver integrated solutions for vulnerable children and young people.

7. The key elements of this work programme are:
• Investing in Educational Success: maintaining momentum on the design and implementation of this initiative
• Improving continuity of learning, transitions and student-centred pathways: from early learning to schooling to tertiary education to further training and employment, including for Māori medium education, and through more effective and responsive careers advice
• Strengthening inclusion: updating the special education system, and providing more in-class support
• Strengthening 21st century practice for quality teaching and learning: establishing a new professional body and a stronger regulatory regime, integrating digital technology into teaching and learning, implementing a national plan to address science in society, improving professional learning and development, and strengthening initial teacher education
• Reviewing the Education Act 1989: to bring it up-to-date with a student-centred and outcome-focused education system and to enable innovation and good practice
• Reviewing the funding systems for early childhood education and schooling: to provide greater flexibility to innovate, collaborate and focus resources on students most at risk of poor outcomes.

8. We made specific commitments in our manifesto that I now propose to deliver, to strengthen the continuity of early learning and to update the special education system. I am also proposing to deliver additional teacher aide support for up to 5,000 students who have high learning needs.

9. I am proposing a review of the Education Act 1989 as the next step in response to the Taskforce on Regulations Affecting School Performance. I am also proposing to review the funding systems for early childhood education and schooling. This review will respond to the Sector Advisory Group on Early Childhood Education Funding, and reflect the increasing and widespread demand for improvements in the funding system for schooling.

10. The education system and Vote Education will be critical contributors to better outcomes for children and their families at most risk of poor education, criminal justice and employment outcomes – as part of the initiatives under the Prime Minister’s leadership – and to the targeted population approach to be taken in
Budget 2015. Work already underway in both areas will inform and reinforce the wider programme set out in this paper.

Background

11. Our education system is effective for most children and young people, but there is more to be done. Over many years, the New Zealand education system has been characterised by relatively high levels of disparity.

12. Our top-performing students are among the best in the world. But at every stage, from early learning through to tertiary education, the system is less successful for Māori and Pasifika, and for learners from low socio-economic backgrounds. The system can also struggle to meet the diversity of special education needs in a timely and effective way. Vulnerable children and young people often face multiple disadvantage, and those at most risk of poor education outcomes are often also at risk of long term benefit receipt and imprisonment.

13. There is also consistent and compelling evidence from international studies that our overall skill levels have been flat or falling in recent years. In these studies, New Zealand is not keeping pace with other high-performing countries:
   - The Trends in International Mathematics and Science Study (TIMSS) and the Progress in International Reading Literacy Study (PIRLS) show that results for 9 and 10 year-olds are declining in maths and science and have been flat in reading and literacy
   - The Programme for International Student Assessment (PISA) shows that results for 15 year-olds are declining in reading, maths and science. This is unlikely to change before the next assessment report in 2016.

14. There is no single, simple explanation for these challenges. Internationally, education systems are seen, as critical contributors to national economies and international competitiveness. Like New Zealand, many countries are striving to improve the performance of their education systems.

15. In New Zealand, evidence suggests that the quality of teaching and leadership is uneven across our system, as are parental and family involvement and community support and expectation. We cannot guarantee that the students at most risk will be taught by the best teachers, or that the schools facing the greatest challenges will get the strongest leaders.

16. New Zealand’s education system also has a wide range of provision across early learning providers and a diversity of school types and sizes. The large number of schools with decentralised decision-making by independent Boards of Trustees can create challenges for learners. In particular, children and young people, along their pathway from early learning to primary and secondary schooling and through to tertiary options, can find transition from one education provider to another, and one sector to another, difficult.

17. These transition problems are exacerbated for children and young people in the Māori medium environment. Māori medium schooling options are more limited and many learners transition into English medium – most frequently
from kōhanga reo to primary school, or from kura to secondary school. This often creates additional disruption to their learning.

18. In addition, school funding is primarily driven by numbers of students rather than particular needs, and a focus on the size of the school rather than the size of the achievement challenge. The decile system used for school funding is incorrectly seen as a de-facto indicator of quality by some parents. Taken together, current funding arrangements may not be effective in mitigating the barriers to learning that some children and young people face because of socio-economic disadvantage.

19. We need to make more effective use of resources across the education system, to ensure consistently high performance for all children and young people, and to invest more deliberately in those most at risk of poor education outcomes and those with special education needs.

Progress to date

20. Over the past two terms, our Government has focused on increasing participation and raising achievement for all students, including significant improvement for those students most at risk of poor outcomes.

21. Our focus has been on:
   - Raising participation and achievement in education through our Better Public Services targets
   - Strengthening the quality and status of teaching and school leadership
   - Providing a data-rich environment for schools, parents and communities to drive better performance
   - Strengthening Boards of Trustees and the role of parents
   - Supporting 21st century learning infrastructure.

22. We have introduced National Standards and built the Public Achievement Information framework, and we have strengthened accountability for improved system and provider performance for learners aged 0 to 18 years.

23. Our focus on achieving our Better Public Services targets continues to drive our work. More young people are making progress and gaining qualifications, however further gains will be increasingly difficult to achieve. Notwithstanding:
   - As at June 2014, 95.9 per cent of children starting school had participated in quality early childhood education compared to 93.6 per cent in June 2008
   - In 2013, 78.6 per cent of 18 year-olds had achieved NCEA Level 2 or equivalent compared to 68 per cent in 2008
   - In the year to September 2014, 54.7 per cent of 25 to 34 year-olds had a qualification at NZQF Level 4 or above compared to 53.3 per cent in 2008
   - Notably, we have seen faster improvement for Māori and Pasifika students than for the rest of the population, albeit from a lower base, with 63 per cent and 71 per cent (respectively) achieving NCEA Level 2 in 2013, compared to 44 per cent and 51 per cent in 2008.
24. With the range of data we now collect, the data-sharing arrangements we have with other agencies, the national and international long-term studies we purchase or participate in, and the analytic capability that the Ministry is investing in, we now have the potential for reliable targeting as well as 'whole of pathway' understanding and insights. For instance, we know that, in each school year (a cohort of around 70,000 children), about 10 per cent are at risk of poor outcomes (around 7,000), and under a thousand are at the highest risk of poor outcomes. We will continue to build the quality and reach of these data analytics and work alongside other agencies to optimise government interventions – for example, where these children have already had extensive contact with the benefit and care and protection systems.

25. We are embedding the elements of our quality teaching and leadership programme through progressing legislation to establish the Education Council of Aotearoa New Zealand (EDUCANZ) and to strengthen the regulatory framework and disciplinary regime for teachers. New exemplary post-graduate qualifications for initial teacher education started in 2014. A review of professional learning and development is nearing its conclusion, as is the work of the 21st Century Learning Reference Group. The inaugural Prime Minister's Education Excellence Awards have capped off a year of recognising the value of teaching and leadership, including through hosting the International Summit on the Teaching Profession, holding festivals of education, and launching a website where New Zealanders can acknowledge the teachers who inspired them.

26. We are progressing *Investing in Educational Success* as a system-wide approach to mobilise highly effective practice within and across schools, build collaboration across the whole education pathway of students, and share resources for common achievement outcomes. We are strengthening the interface between secondary and tertiary education through the Youth Guarantee initiatives, including Vocational Pathways and Trades Academies.

27. The Ministry of Education is a key partner in the Children's Action Plan and is working more closely than ever with social sector agencies and community leaders through initiatives such as the Children's Teams, Social Sector Trials, and partnerships on youth mental health. Through the Ministry's Early Learning Taskforce, community action groups have been established to work with parents, whānau, community leaders, and early learning services to overcome the barriers to children attending early childhood education.

**The work programme for the next three years**

26. We will continue our work already in progress, anchored in our *Better Public Services* targets. We will be alert to opportunities for further refinement and streamlining in the interests of strengthening the performance of the education system.

29. To support and build on current initiatives, I propose undertaking the following programme of work over the next three years. This work programme is summarised in Appendix 1, and covers:
- Investing in Educational Success
- Improving continuity of learning, transitions and student-centred pathways
- Strengthening inclusion: updating the special education system
- Strengthening 21st century practice for quality teaching and learning
- Reviewing the Education Act 1989
- Reviewing the funding systems for early childhood education and schooling.

30. The Ministry of Education is progressing this work programme, operating in its stewardship role. The Ministry is facilitating and supporting stakeholders to identify challenges and opportunities, develop solutions and offer policy advice. This makes best use of their time and expertise – to contribute to specific work streams and to engage with the overall work programme. This approach utilises the capacity, capability and relationships that the Ministry is building, including through the local leadership and responsiveness provided by ten Directors of Education across the country.

**Investing in Educational Success**

31. Maintaining momentum on *Investing in Educational Success* remains an important priority. A separate paper advising progress on the design and implementation of *Investing in Educational Success* will be considered by SOC on 3 December with a view to Cabinet consideration on 8 December. It will provide an update on the detailed design of the initiative and seek approval for a drawdown of funds.

32. Cabinet agreed the parameters for *Investing in Educational Success* in January [CAB Min (14) 1/14 refers] and May 2014 [SOC Min (14) 10/3]. The core functions of Communities of Schools are to work collaboratively to share expertise to address achievement challenges, and to improve the coherence of the education pathway experienced by students.

33. *Investing in Educational Success* responds to common achievement challenges with a package of initiatives that focus on lifting the quality of teaching and leadership and providing a system-wide approach to highly effective practice within and across schools. In this way, this expertise can be used more effectively to support all students, while also targeting those students at most risk of poor outcomes.

34. *Investing in Educational Success* represents a shift in our expectations for school leaders, teachers, Boards of Trustees, parents and whānau. This initiative gives them the opportunity to work together to take responsibility for all students across a Community of Schools, not only those in their own school, along the whole pathway from early learning to senior secondary school and beyond. The potential benefits from the sharing of expertise and collaborative effort are considerable. It will take time to build more systematic collaboration from the pockets of good practice already exhibited in communities.
Improving continuity of learning, transitions and student-centred pathways

35. In the interests of greater system collaboration, coherence and student-centred approaches, there are four further areas of focus as part of the developing Communities of Schools, and more broadly. They are:
   - Improving pathways and transitions in Māori medium education
   - Strengthening and expanding secondary to tertiary pathways and transitions
   - Reviewing Careers New Zealand
   - Strengthening the continuity of early learning.

**Improving pathways and transitions in Māori medium education**

36. Government has a dual responsibility in Māori medium education: the provision of high quality education and, alongside Māori, the protection and revitalisation of te reo Māori. While based on relatively small numbers, achievement data indicates that students in Māori medium education achieve NCEA qualifications at higher rates than Māori in English medium settings, and at higher rates than the overall student population. However, participation in comprehensive Māori medium pathways from early learning to tertiary education is limited, so impact and language acquisition are diluted.

37. It is important that we improve the retention of Māori children and young people in Māori medium education through the creation of high quality, connected Māori medium pathways. This work includes:
   - Improving the Māori medium education system as a whole, including working with the Education Review Office and sector agencies to address challenges of teacher supply, and to develop quality pathways (communities of learning) from kōhanga/puna to kura, wharekura and wānanga
   - Working with the Māori Medium Literacy and Numeracy Taskforce to support and share improved practice across Māori medium providers
   - Building on local initiatives to improve local provision, including working with parents, whānau, iwi, community leaders, early learning services and other local contributors through the Early Learning Taskforce to understand and overcome the barriers to children attending early childhood education
   - Working with iwi to establish other models such as Partnership Schools | Kura Hourua and more fit-for-purpose Tai Wānanga.

**Strengthening and expanding secondary to tertiary pathways and transitions**

38. The Minister for Tertiary Education, Skills and Employment and I will improve pathways and transitions within and between secondary and tertiary education [SOC Min (13) 15/3 refers]. This means continuing to work with schools and tertiary providers to raise NCEA Level 2 achievement rates, especially for at-risk young people, and to retain students in education. Actions include extending the Vocational Pathways and increasing Trades Academy places, and exploring the potential for making such opportunities available at earlier year levels.
39. A key part of this work will involve building on and implementing the Youth Guarantee initiatives, in addition to existing programmes that focus on transitions, such as the Secondary Tertiary Alignment Resource (STAR) and Gateway. The Youth Guarantee initiatives include Vocational Pathways, Trades Academies, Youth Guarantee fees-free places, Youth Guarantee Networks, and Achievement, Retention and Transitions (ART) 2013-17.

A Review of Careers New Zealand

40. A particular focus in transitions will be improving the careers education, information, advice and guidance for students. This includes providing more consistent, accessible and useful advice on how study options relate to future opportunities in the workforce. We have increasingly rich information on the outcomes for students after completing their study. This information is being used to inform planning and investment decisions by tertiary education providers and government, but there is more that can be done.

41. Students are the key decision-makers. They need better information and advice about what they need to do to enter the career of their choice, the options for where and how to study, and the potential outcomes on completion. They also need this advice earlier in their education, when important choices are made.

42. Careers New Zealand has a key role in developing and delivering online careers information, advice and resources to New Zealanders, including the public, educators and employers. These functions support the education sector to deliver high-quality careers education in the classroom, to provide relevant and useful information to support students’ decision-making, and to provide effective advice and guidance to students who are at most risk of poor education and employment outcomes.

43. In order to better support students’ transitions and pathways, the Minister for Tertiary Education, Skills and Employment and I have asked the Ministry of Education to lead a review of Careers New Zealand.

Strengthening the continuity of early learning

44. Our focus on the Better Public Services target of 98 per cent participation in early childhood education (ECE) recognises the key role that ECE plays in ensuring children experience educational success. As we approach our target in 2016, we must continue to get the best learning outcomes for young children and maximise the value for our investment in ECE.

45. ECE has a broad curriculum framework (Te Whāriki) that relies heavily on teachers’ professional training and skills. A 2013 Education Review Office report found considerable variation in teacher practices and implementation of the ECE curriculum. In addition, the transition from early learning to school can be disruptive, and particularly so for children moving from Māori medium to English medium.
46. Earlier this year, the Continuity of Early Learning work stream of my Ministerial Cross-Sector Forum recommended that an advisory group be established to provide advice and a plan on how to strengthen:
   - The implementation of the ECE curriculum framework
   - The connection between ECE and schooling, to ensure that children experience a more seamless learning pathway in the first eight years of life.

47. We made a manifesto commitment to work with the sector to undertake this work, which fits well with our focus on better transitions and whole of education pathway support from early learning to tertiary education and the workplace. I am seeking agreement to:
   - Establish an independent advisory group to provide this advice
   - Terms of Reference for the Advisory Group (attached as Appendix 2).

48. I anticipate the Advisory Group will report to me by 30 June 2015, and I will report to Cabinet Social Policy Committee with a plan of action by August 2015.

49. I intend to appoint the Advisory Group before the end of the year, apprise them of their task, and hold their first meeting. Accordingly, I propose submitting a list of my nominees to the Cabinet Appointments and Honours Committee at its meeting on 2 December.

**Strengthening inclusion: updating the special education system**

50. Special education includes a wide range of services and activities that are intended to ensure all children and young people, regardless of their needs, are present, participating, learning and achieving in early childhood education and schools alongside their peers.

51. To achieve our vision of an education system where all children and young people achieve to their full potential, we need to ensure that their experience is one of inclusiveness with high quality teaching that meets their individual needs. This means making sure that the system deploys the special education resources provided by Government as efficiently and effectively as possible.

52. Our Government has increased investment in special education by 25 per cent over the last five years, to a total of around $530 million annually in special education services and support. Approximately two thirds of this funding is for services and support provided by the education sector, the remainder by the Ministry of Education.

**Updating the special education system**

53. An estimated 80,000 to 100,000 children and young people in early childhood education or school receive some form of special education support each year. For the following reasons, I consider that it is now timely to update the special education system:
• The system has become highly compartmentalised and fragmented. This has been compounded by targeted and discrete increases to funding, and incremental growth in services.

• There are no whole-of-system parameters to measure the success of the investment in special education supports and services. There also needs to be much stronger achievement specification for individual students.

• We do not have a clear picture of trends in special education needs, and accordingly, do not have a good ability to forecast demand in this area.

• Access and decision-making are unnecessarily complicated – particularly for children or young people who require support for a range of needs. The Ministry is increasingly being asked to step in when parents and/or schools are unsatisfied with the services they can access directly.

• We have not sufficiently explored the connection between investment in service delivery and outcomes. Greater understanding of this area could enable us to better assess the right distribution of funding and resources across the age groups.

54. In 2010, the Government’s review of special education confirmed a commitment to work towards 100 per cent of schools demonstrating inclusive practice by 2014, and increased access to some existing services [SOC Min (10) 24/1 refers]. Following from that work, we will build on the principle of inclusiveness that sits at the heart of our special education system, the findings of the 2010 review, and the progress made since then towards achieving greater equity of provision, better targeting, and more personalised pathways for individual students.

55. This update will focus on streamlining the special education system so that it is fit-for-purpose in light of current evidence and resourcing. We will look at efficiency, effectiveness, accessibility to the right services, decision-making, delivery models, and how to measure student achievement. Parent satisfaction has flat-lined over the past three years. I want to see satisfaction increase – and so do parents.

56. I have asked the Ministry of Education to lead this update. The Ministry will work with parents, whānau, and education and disability sector partners, including local and national reference groups. I anticipate that this work will be completed by the end of June 2015. I will bring a paper to Cabinet Social Policy Committee in July 2015 with the outcome of this update, and any proposals requiring Cabinet’s approval.

Increased teacher aide hours

57. We campaigned on providing up to 800,000 more teacher aide hours a year from 2015, at an estimated cost of up to $18 million per year. This will provide support for up to 5,000 students with high learning needs, over the next four years.

58. I am seeking Cabinet’s agreement to a fiscally neutral transfer of $2.500 million in Vote Education to begin to get the additional teacher aide hours into the system at the start of Term 1, 2015. Funding for this increase for financial years from 2015/16 onwards will be identified as part of the Budget 2015 process.
59. Detailed design work will be undertaken with education sector leaders to develop operational guidelines and processes to identify the students who should receive this additional support. How best to use this resource in an ongoing way will be considered as part of the update of the special education system.

**Strengthening 21st century practice for quality teaching and learning**

60. High quality teaching and leadership are the most important in-school factors that support the achievement of all learners – including those with special education needs. Evidence demonstrates that investing in the profession to raise the quality of teaching and leadership provides the best opportunity to deliver improvements in educational outcomes.

61. *Investing in Educational Success* is the Government’s key, system-wide approach to lifting the quality of teaching and leadership within and across schools.

62. Several other changes underway are focused on lifting the quality of teaching and leadership across schooling. The key initiatives in this area are:

- Work to raise the status of the teaching profession – notably through the establishment of the Education Council of Aotearoa New Zealand (EDUCANZ)
- Responding to the work of the 21st Century Learning Reference Group
- Implementing a national plan to address science in society
- Responding to the Professional Learning and Development Advisory Group report, including work to support school leadership
- Work to strengthen initial teacher education.

63. Our current work addresses the factors that can make a difference to improved and more equitable outcomes for all children and young people, including the foundations of literacy, mathematics and science skills. It is designed to ensure we recruit, support and retain the best people into teaching and leadership positions. Great teaching and leadership should be visible to help ensure best practice becomes universal practice.

64. We will continue current work on robust data collection and analysis of the data about student progress and achievement to support best practice and to target those students at highest risk of poor outcomes.

65. Modern learning environments, technologies and practices offer the opportunity for positive change, by giving teachers and learners the tools and resources they need to accelerate progress. These tools offer richer and more timely information, as well as ways to involve and engage parents and whānau in their children’s education, and students in their own progress.

66. An important focus over the next three years will be to ensure stronger connections across the transitions in our education system. This includes the formal transitions – from early learning to schools, from primary to intermediate and secondary schools, and across the secondary to tertiary interface – and the transitions that many learners make between providers during the year.
Establishment of the Education Council of Aotearoa New Zealand

67. The Bill to establish EDUCANZ as an independent statutory professional body for teachers and education leaders across ECE and schooling is awaiting its second reading. The Bill strengthens the regulatory framework for teaching to ensure consistently high standards of entry into the profession and ongoing competence of teachers and education leaders. It also strengthens and streamlines the disciplinary regime for teachers, to ensure high standards of conduct, and to ensure the response to possible misconduct is timely, effective and fair [CAB Min (13) 31/14 refers].

68. Over time, I expect EDUCANZ to be in a position to develop differentiated standards to underpin registration and certification to demonstrate levels of excellence to strive for and attain, articulating the best models of 21st century practitioners. This can provide clearer goals for investing in professional learning and development, better career pathways, and help to attract the best and the brightest into teaching.

21st century learning environments and digital literacy

69. The 21st Century Learning Reference Group was established in July 2013 to provide advice to Government on how to implement the recommendations of the Education and Science Select Committee December 2012 report on 21st century learning environments and digital literacy. The term of the reference group was extended to December 2014.

70. The reference group provided a report Future-focused learning in connected communities in May 2014. It intends to provide a further final report in December with more specific advice against its key recommendations.

71. I will work with the Associate Minister of Education to advance the recommendations of the Reference Group, and to integrate the relevant proposals into a coherent set of teaching and learning practice.

National plan to address science in society

72. The Government recently published a national plan to address science in society, A Nation of Curious Minds: He Whenua Hirih i te Mahara [SOC Min (14) 14/2 refers]. The plan aims to deliver more students competent in science, technology, engineering and mathematics; stronger engagement between the public and the science and technology sectors; and a more skilled workforce and more responsive science and technology.

73. This plan contains several initiatives that will improve science and technology education. It will strengthen initial teacher education to provide a stronger foundation of science and technology for all new teachers. It also sets out actions to build the confidence and skill of our science and technology teachers. It will help them to access the best possible professional learning and development, and to access stronger communities of science and technology educators and professionals.

Review of professional learning and development

74. Substantial investment is made in professional learning and development every year, and its value and utility is widely questioned. A sector-led advisory group
has been reviewing professional learning and development and has consulted with the profession on a more relevant and modern approach. Once I have received its recommendations, I expect to consider changes to professional development to provide an integrated approach that supports 21st century practice for quality teaching and learning.

Strengthening initial teacher education

75. International evidence indicates that attracting applicants into teaching from the top third of graduating students is critical to improving the system. I want to see the highest calibre and most motivated students attracted and retained in initial teacher education across early childhood and schooling, in English and Māori medium and with expertise across the curriculum learning areas.

76. I have a number of initiatives underway, working with the sector and the New Zealand Teachers’ Council, to strengthen initial teacher education. In particular, new postgraduate teaching programmes are being trialled over the next three years, featuring more rigorous student selection criteria; more classroom experience; and stronger support for associate teachers to provide better mentoring. An active research and evaluation programme will also inform the quality of the ongoing initial teacher education provision.

Reviewing the Education Act 1989

77. The Education Act 1989 is over 25 years old and needs to better fit a 21st century education system that is becoming more student-centred and outcome-focused. It is timely to consider how a legislative framework can place learners at the centre of the education system, providing an enduring vision of success for all young New Zealanders, and certainty about what the education system is expected to achieve.

78. I have received frequent feedback that the Education Act 1989 is focused on compliance and gets in the way of schools making the most of innovative ways to provide education. On administrative matters, it can create significant hurdles or provide no guidance at all: problems that were publicly apparent during the Christchurch network consultations.

79. The Education Act 1989 focuses on the administration of schooling rather than the delivery of student education outcomes. It is my view that it will increasingly become an impediment to the successful implementation of our non-legislative initiatives such as Investing in Educational Success and the Better Public Services targets.

80. Earlier this year, I reported to Cabinet on the findings of the Taskforce on Regulations Affecting School Performance [CAB Min (14) 23/5 refers]. The Taskforce recommended change to create a greater focus on student outcomes in the Education Act 1989, more explicit roles and objectives, and improved usability and clarity.

Proposed approach

81. I am now proposing a two-phase review of the Education Act 1989 that builds on the recommendations of the Taskforce. The first phase will determine the purpose and goals for the education of learners aged 0 to 18 years.
82. The Government has priorities for how such high-level goals should be implemented. These objectives are currently set out across multiple documents, including the National Education Goals (NEGs) and the National Administration Guidelines (NAGs). A review would consider whether this is the most effective way of expressing those objectives.

83. The review will then look at the mechanisms needed to enable boards of trustees to respond to the purpose, goals and objectives through their planning and reporting processes. An effective planning and reporting regime is a key tool for improving outcomes. I want it to be clear to schools what planning and reporting is required and why it is important.

84. The second phase will continue the move towards a more student-centred and outcome-focused legislative framework. I intend to return to Cabinet by December 2015 with further detail on the scope and engagement for this phase of the review.

Advisory Group and consultation

85. As the first phase is likely to result in a high level of public interest, I believe a thorough consultation process with the education sector and other stakeholders is needed. I propose establishing a Ministerial Advisory Group to oversee this process, and seek your agreement to the draft terms of reference attached at Appendix 3. If Cabinet agrees, I will finalise the terms of reference in consultation with the Minister of Finance and the Minister for Tertiary Education Skills and Employment, and I will bring nominations for membership of the Advisory Group to the Cabinet Appointment and Honours Committee in February 2015. I will also seek Cabinet Social Policy Committee consideration of the content of a discussion document for this work in April 2015.

86. I anticipate the following timeframe for the first phase:

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<th>Action</th>
<th>Timing</th>
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<tr>
<td>Ministerial Advisory Group appointed</td>
<td>February 2015</td>
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<tr>
<td>Discussion document approved by Cabinet</td>
<td>April 2015</td>
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<tr>
<td>Public consultation</td>
<td>May-July 2015</td>
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<tr>
<td>Analysis of feedback and further policy development</td>
<td>July-October 2015</td>
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<tr>
<td>Plan of action for progressing the review approved by Cabinet</td>
<td>December 2015</td>
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Reviewing the funding systems for ECE and schooling

87. We need an affordable education system that provides all New Zealanders with the competencies and skills they need to participate in society and the economy. Our ECE and schooling curricula and qualifications framework provide flexibility for teachers and educators to develop teaching approaches that meet a wide range of student needs. We need funding systems that
support teachers and educators to deliver results and enable all young people to reach their full potential.

88. The existing system is made up of complex layers of entitlements that are directed more to the funding of property and providers than to the education outcomes of children and young people. They do not measure up well against our vision for a 21st century education for young New Zealanders. In particular, they:

- Restrict broader educational innovation, including the development of stronger collaboration (groups of education providers working together and sharing resources for the benefit of children)
- Do not take full advantage of technological changes that allow for greater collection and use of information about students to better target resources to those who are most at risk of poor outcomes
- Are complex and lack coherence, so that they are not as efficient, fair, or transparent as they should be.

89. Across the system, some resources may be shared freely between individual providers or institutions, but there are few incentives for this. The sharing of other resources, such as staffing entitlements for schools, is circumscribed by regulation. Permitting more flexibility would reinforce other initiatives which require the sharing of practice or resources or combined provision.

Reducing complexity and improving efficiency

90. There is scope to improve the fairness, transparency, and efficiency of funding.

91. The current ECE funding system is complicated. It involves multiple agencies, paper-based reporting systems, and overly detailed administrative rules. A complex funding system increases the risk of errors, such as under- and over-payments. The complexity in the existing system encourages provider workarounds that dilute the impact of policies and, in extreme cases, can lead to gaming and fraud.

92. The current school funding system reflects years of ad-hoc changes that responded to varying pressures, and it is now hard to discern its underlying structure. It is also difficult for schools and parents to understand. A good example of this is targeted funding for educational achievement based on deciles, which is viewed, incorrectly, by some parents as a de facto indicator of quality, rather than a mechanism for targeting resources to disadvantaged students and communities.

93. To improve the fitness of funding mechanisms, I propose reviewing funding for education from 0 to 18 year-olds. This would be in two parts.
Consultation

100. The Education Review Office has contributed to the development of this paper. The Ministry of Social Development, the Treasury and the State Services Commission have been consulted on this paper. The Department of the Prime Minister and Cabinet has been informed.
Financial implications

101. Overall, this work programme continues the shift in focus across the education system, investing resources to lift achievement for all children and young people, and investing more deliberately in the children and young people who are at most risk of poor education outcomes.

102. $2.500 million has been reprioritised within Vote Education to meet the costs of additional teacher aides in 2014/15.

104. The costs for this initiative in 2015/16 and subsequent years, and any consequential impacts, will be considered in the context of Budget 2015.

Human rights

105. These proposals are consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

Legislative implications

106. This paper has no immediate legislative implications.

107. This work programme envisages a rolling programme of change to the Education Act 1989 and associated legislation. I intend to return to Cabinet by December 2015 with next steps on the review and decisions on legislative changes.

Gender implications

108. This paper has no gender implications.

Disability perspective

109. The proposals are consistent with Article 24 of the United Nations Convention on the Rights of Disabled Persons. Article 24 recognises the rights of persons with disabilities to education, with a view to people being able to realise this right without discrimination and on the basis of equality of opportunity.

110. The proposals also align with actions underway as part of Priority One of the Disability Action Plan 2014-2018 – the cross-government plan to progress improved results in priority areas for disabled people. Specifically, Priority One actions include increasing the educational achievement of disabled children and adults.
Publicity

111. To provide for announcements that can be made as the work progresses, my office will work with the Ministry of Education to ensure that there is engagement with stakeholders, including through various advisory groups and review processes.

112. At the appropriate time, this paper will be released as part of broad engagement on the overall priorities and work programme for the education system, including with parents, whānau, iwi and communities.

Recommendations

I recommend that the Cabinet Social Policy Committee:

1. note that substantial progress has been made since we last considered our medium-term strategy for education [CAB Min (12) 9/2 refers], and participation and achievement of qualifications have improved as a result;

2. note that the work programme for the Education portfolio for the next three years continues to build on the insights gained and the progress made to date, and will be centred on the following areas:
   a. Investing in Educational Success
   b. improving continuity of learning, transitions and student-centred pathways
   c. strengthening inclusion: improving the operation of special education provision
   d. strengthening 21st century practice for quality teaching and learning
   e. reviewing the Education Act 1989
   f. reviewing the funding systems for early childhood education and schooling;

   Investing in Educational Success

3. note that a paper on the design and implementation of Investing in Educational Success is expected to be considered by Cabinet Social Policy Committee on 3 December 2014;

Improving continuity of learning, transitions and student-centred pathways

Improving pathways and transitions in Māori-medium education

4. note that the Ministry of Education has work underway to improve the retention of Māori learners in Māori medium education through the creation of high quality, connected Māori medium pathways, including:
   a. improving the Māori medium education system as a whole, including working with the Education Review Office and sector agencies to address challenges of teacher supply, quality pathways (communities of learning) from kōhanga/puna to kura, wharekura and wānanga
b. working with the Māori Medium Literacy and Numeracy Taskforce to support and share improved practice across providers

c. building on local initiatives to improve local provision, including working with parents, whānau, community leaders, early learning services and other local contributors through the Early Learning Taskforce to understand and overcome the barriers to children attending early childhood education

d. working with iwi to establish other models such as Partnership Schools | Kura Hourua and Tai Wānanga;

Improving secondary to tertiary pathways and transitions

5. **note** that the Minister of Education, together with the Minister for Tertiary Education, Skills and Employment, will continue work underway with schools and tertiary providers to improve pathways and transitions within and between secondary and tertiary education, including:

   a. extending the Vocational Pathways and increasing Trades Academy places, and

   b. exploring the potential for making such opportunities available at earlier year levels;

Reviewing Careers New Zealand

6. **direct** that the Ministry of Education to lead a review of Careers New Zealand, working with stakeholders from secondary and tertiary education and the business sector to engage with students, parents, whānau and communities.

Establishing an Advisory Group on Early Learning

8. **agree** to the attached terms of reference for an independent Advisory Group on Early Learning to provide advice and a plan to strengthen the implementation of the early childhood education (ECE) curriculum framework and practical ways to align curriculum planning and implementation across ECE and kōhanga reo and the early years of school and kura;

9. **invite** the Minister of Education to submit proposed nominations for appointment to the Advisory Group on Early Learning for consideration by the Cabinet Appointment and Honours Committee on 2 December 2014;

10. **invite** the Minister of Education to report to Cabinet Social Policy Committee with a plan of action on the continuity of early learning by August 2015;

**Strengthening inclusion: updating the special education system**

11. **note** that the 2010 Review of Special Education confirmed a commitment to work towards 100 per cent of schools demonstrating inclusive practice by 2014, and increased access to some existing services [SOC Min (10) 24/1 refers];
12. **direct** the Ministry of Education to work in collaboration with parents, whānau, and education and disability sector partners to update the special education system, for the reasons discussed in paragraphs 48 to 54 of this paper, and to complete this work by 30 June 2015;

13. **invite** the Minister of Education to report to Cabinet Social Policy Committee by July 2015 with the outcome of this update, and any proposals that require Cabinet’s approval;

14. **note** that the Ministry of Education will make available additional teacher aide funding for schools this financial year from the beginning of Term 1 2015 for up to 1,500 students already identified in the Resource Teachers: Learning and Behaviour High Learning Needs initiative;

15. **approve** the following fiscally neutral adjustments to provide for additional teacher aide support for up to 1,500 students, with no impact on the operating balance:

<table>
<thead>
<tr>
<th>Vote Education Minister of Education</th>
<th>2014/15</th>
<th>2015/16</th>
<th>2016/17</th>
<th>2017/18</th>
<th>2018/19 &amp; outyears</th>
</tr>
</thead>
<tbody>
<tr>
<td>Departmental Output Expenses:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interventions for Target Student Groups (funded by revenue Crown)</td>
<td>2.500</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Non-Departmental Other Expenses</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Primary Education</td>
<td>(1.000)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Secondary Education</td>
<td>(1.000)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Non Departmental Capital Expenditure</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>School Support Project</td>
<td>(0.500)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

16. **agree** that the changes to appropriations for 2014/15 above be included in the 2014/15 Supplementary Estimates and that, in the interim, these expenses be met from Imprest Supply;

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**Strengthening 21st century practice for quality teaching and learning**

18. **note** that work already underway to support and promote 21st century practice for quality teaching and learning will continue, including:

a. continued support for the legislation to establish the Education Council of Aotearoa New Zealand (EDUCANZ)

b. work, undertaken under the direction of the Associate Minister of Education, to advance the recommendations of the 21st Century
Learning Reference Group, following the presentation of its final report (expected in December 2014)

c. implementing a national plan to address science in society

d. responding to a sector-led review of professional learning and development

e. work to strengthen initial teacher education;

Reviewing the Education Act 1989

19. note that the Taskforce on Regulations Affecting School Performance recommended a review of the Education Act 1989 to provide a greater focus on student outcomes, more explicit roles and objectives, and improved usability and clarity;

20. note that this paper responds to Cabinet’s invitation to the Minister of Education to report on any proposed review of the Education Act 1989, including terms of reference, a consultation process, timeframes, and scope [CAB Min (14) 23/5 refers];

21. agree to a two-phase approach to the targeted review of the Education Act 1989 with the first phase to consider:

   a. determining the purpose, goals and Government’s objectives of education for learners aged 0 to 18 years

   b. the best way of setting out the Government’s objectives

   c. the mechanisms that are needed to enable Boards of Trustees to respond to the purpose, goals and objectives through their planning and reporting processes;

22. agree to the attached draft terms of reference for the Advisory Group to the Minister of Education to oversee and guide the consultation process for the first phase of the review of the Education Act 1989;

23. authorise the Minister of Education to make changes to finalise these terms of reference, in consultation with the Minister of Finance and the Minister for Tertiary Education, Skills and Employment;

24. invite the Minister of Education to submit proposed nominations for the Advisory Group to the Cabinet Appointment and Honours Committee in February 2015;

25. invite the Minister of Education to report to Cabinet Social Policy Committee with a draft discussion document for the first phase of the review of the Education Act 1989 by the end of April 2015;

26. direct the Ministry of Education to provide further advice and detail regarding scope and engagement for further aspects of the review of the Education Act 1989 by October 2015;

27. invite the Minister of Education to report to Cabinet Social Policy Committee with a plan of action for progressing the review of the Education Act 1989 by December 2015;

Review the funding systems for ECE and schooling
32. **direct** the Ministry of Education to produce an initial analysis of the current school funding system, to explore the opportunities and challenges and the scope for further review, and to advise the Minister of Education on how such a review should be progressed;

Next Steps

34. **note** the Minister of Education will make announcements related to the components of this work programme as the work develops, and intends to release this paper on the Ministry of Education website at the appropriate time;

35. **note** that this work programme will be supported and progressed through a constructive engagement process with leaders across the education system, as well as students, parents, whānau, iwi and communities, to identify the challenges and opportunities, and to develop solutions.

Hon Hekia Parata
Minister of Education

20/11/14
# Appendix 1: Education work programme 0 to 18 years

<table>
<thead>
<tr>
<th>Month</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan</td>
<td><strong>Investing in Educational Success: design and implementation</strong>&lt;br&gt;Principal Recruitment Allowance – first principals in place from start of 2015 school year&lt;br&gt;&lt;br&gt;Communities of Schools – first communities approved by Feb 2015; first CoS leaders appointed by April 2015; first CoS (cross community) teachers appointed by June 2015; first CoS (within school) teachers appointed by Aug 2015.</td>
</tr>
<tr>
<td>Feb</td>
<td><strong>Strengthening 21st Century practice for quality teaching and learning</strong>&lt;br&gt;Legislation enacted to establish EDUCANZ and create stronger regulatory framework and higher entry standards for teaching profession; Post-graduate initial teacher education programmes operating and evaluated; Implement Science in Society national plan; Responding to the PLD Advisory Group report (late 2014); Initial actions to integrate digital technology into teaching and learning responding to 21st Century Learning Reference Group report (Dec 2014)</td>
</tr>
<tr>
<td>Mar</td>
<td><strong>Improving continuity of learning, transitions, and student-centred pathways</strong>&lt;br&gt;Review implementation of Te Whāriki + connection between ECE &amp; schooling with Independent Advisory Group&lt;br&gt;&lt;br&gt;Possible public consultation, and/or further policy development/implementation&lt;br&gt;&lt;br&gt;Improve Māori medium education pathways; Strengthen secondary-tertiary transitions; undertake Review of Careers New Zealand</td>
</tr>
<tr>
<td>Apr</td>
<td><strong>Strengthening inclusion: improving the operation of special education</strong>&lt;br&gt;Update of the special education system with parents, whānau, and disability and education sector partners&lt;br&gt;&lt;br&gt;Additional teacher aide hours available in schools</td>
</tr>
<tr>
<td>May</td>
<td><strong>Review of Education Act</strong>&lt;br&gt;Review purpose and goals of the education system with Advisory Group, public consultation&lt;br&gt;&lt;br&gt;Drafting of legislation&lt;br&gt;&lt;br&gt;Start second phase of review</td>
</tr>
<tr>
<td>Jun</td>
<td><strong>Investing in Educational Success: design and implementation</strong>&lt;br&gt;Principal Recruitment Allowance – first principals in place from start of 2015 school year&lt;br&gt;&lt;br&gt;Communities of Schools – first communities approved by Feb 2015; first CoS leaders appointed by April 2015; first CoS (cross community) teachers appointed by June 2015; first CoS (within school) teachers appointed by Aug 2015.</td>
</tr>
<tr>
<td>Jul</td>
<td><strong>Strengthening 21st Century practice for quality teaching and learning</strong>&lt;br&gt;Legislation enacted to establish EDUCANZ and create stronger regulatory framework and higher entry standards for teaching profession; Post-graduate initial teacher education programmes operating and evaluated; Implement Science in Society national plan; Responding to the PLD Advisory Group report (late 2014); Initial actions to integrate digital technology into teaching and learning responding to 21st Century Learning Reference Group report (Dec 2014)</td>
</tr>
<tr>
<td>Aug</td>
<td><strong>Improving continuity of learning, transitions, and student-centred pathways</strong>&lt;br&gt;Review implementation of Te Whāriki + connection between ECE &amp; schooling with Independent Advisory Group&lt;br&gt;&lt;br&gt;Possible public consultation, and/or further policy development/implementation&lt;br&gt;&lt;br&gt;Improve Māori medium education pathways; Strengthen secondary-tertiary transitions; undertake Review of Careers New Zealand</td>
</tr>
<tr>
<td>Sep</td>
<td><strong>Strengthening inclusion: improving the operation of special education</strong>&lt;br&gt;Update of the special education system with parents, whānau, and disability and education sector partners&lt;br&gt;&lt;br&gt;Additional teacher aide hours available in schools</td>
</tr>
<tr>
<td>Oct</td>
<td><strong>Review of Education Act</strong>&lt;br&gt;Review purpose and goals of the education system with Advisory Group, public consultation&lt;br&gt;&lt;br&gt;Drafting of legislation&lt;br&gt;&lt;br&gt;Start second phase of review</td>
</tr>
<tr>
<td>Nov</td>
<td><strong>Investing in Educational Success: design and implementation</strong>&lt;br&gt;Principal Recruitment Allowance – first principals in place from start of 2015 school year&lt;br&gt;&lt;br&gt;Communities of Schools – first communities approved by Feb 2015; first CoS leaders appointed by April 2015; first CoS (cross community) teachers appointed by June 2015; first CoS (within school) teachers appointed by Aug 2015.</td>
</tr>
<tr>
<td>Dec</td>
<td><strong>Strengthening 21st Century practice for quality teaching and learning</strong>&lt;br&gt;Legislation enacted to establish EDUCANZ and create stronger regulatory framework and higher entry standards for teaching profession; Post-graduate initial teacher education programmes operating and evaluated; Implement Science in Society national plan; Responding to the PLD Advisory Group report (late 2014); Initial actions to integrate digital technology into teaching and learning responding to 21st Century Learning Reference Group report (Dec 2014)</td>
</tr>
</tbody>
</table>

**Key**<br>
- Continuation of existing work<br>- New work programme elements<br>- Analytical/preparatory work<br>- Advice to Cabinet
### 2016

<table>
<thead>
<tr>
<th>Q1</th>
<th>Q2</th>
<th>Q3</th>
<th>Q4</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Investing in Educational Success:</strong> design and implementation</td>
<td>Teacher-led Innovation Fund: Round 2 projects start July 2016; Round 3 opens Nov 2016; Round 3 projects start July 2017</td>
<td>Continued implementation of Communities of Schools to full roll-out</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Q1</th>
<th>Q2</th>
<th>Q3</th>
<th>Q4</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strengthening 21st Century practice for quality teaching and learning</strong></td>
<td>EDUCANZ progresses their work programme; Postgraduate ITE programmes continue; New PLD arrangements in place; Further actions to integrate digital technology into teaching and learning</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Q1</th>
<th>Q2</th>
<th>Q3</th>
<th>Q4</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Improving continuity of learning, transitions, and student-centred pathways</strong></td>
<td>Possibly, increased Trades Academy places and additional Vocational Pathway(s) become available;</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Q1</th>
<th>Q2</th>
<th>Q3</th>
<th>Q4</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strengthening inclusion: improving the operation of special education</strong></td>
<td>Implement changes to special education system; Additional teacher aide hours</td>
<td></td>
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Q1</th>
<th>Q2</th>
<th>Q3</th>
<th>Q4</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Review of Education Act</strong></td>
<td>Introduction and passage of legislation for first phase; Development and decisions on second phase; Drafting, introduction and passage of further legislation</td>
<td>Preparation and planning for implementation</td>
<td>Implementation begins</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Q1</th>
<th>Q2</th>
<th>Q3</th>
<th>Q4</th>
</tr>
</thead>
</table>

**Key**
- Continuation of existing work
- New work programme elements
- Analytical/preparatory work
- Advice to Cabinet
Appendix 2: Draft Terms of Reference for the Advisory Group on Early Learning

Remit

There is good evidence to show that high quality early learning can make a valuable contribution to every child’s educational achievement. Te Whāriki, the New Zealand early childhood curriculum framework, provides a sound foundation to support quality teaching and learning for young children. There is, however, wide variation in how well Te Whāriki is implemented by early childhood education (ECE) services and how the foundation it provides is carried on into the early years of schooling.

The Education Review Office (ERO) report on the implementation of Te Whāriki (May 2013) highlighted the need for ECE services to look at "... their implementation of the curriculum, to review its effectiveness and find ways of working in-depth with Te Whāriki to achieve the best outcomes for children at their service". ERO found considerable variation in the understanding of Te Whāriki and teacher practices, with most services not using the curriculum framework in depth to reflect on, evaluate or improve practice.

OECD’s country report, Quality Matters in Early Childhood Education and Care: New Zealand 2012 suggests that New Zealand could capitalise on the strengths of its ECE system by looking at options for improving the implementation of Te Whāriki. This could include strengthening parental involvement in curriculum design and implementation.

We know that children’s development is enhanced if they experience consistent teaching and learning that is responsive to their needs. There is some evidence that students who have fallen behind their peers in the initial years of schooling tend to stay behind. The Continuity of Early Learning (CoEL) work stream of the Cross Sector Forum on Raising Student Achievement was established to consider ways to ensure that every child is a competent and confident learner by age 8 years, participating in a wide range of experiences across the curricula.

In 2013-14 the CoEL work stream commissioned two projects focused on raising the achievement of priority learners.¹ These projects highlighted challenges relating to cross-sector (ECE and school) understanding of curricula and assessment practices. They identified services’ implementation of curricula as a key area to focus on as well as connecting teaching practice in ECE, kōhanga reo, school and kura settings for children aged 0-8 years.

Objectives

An advisory group on the continuity of early learning is being convened to provide advice to the Minister of Education on:

- how to strengthen the implementation of Te Whāriki; and
- practical ways to align curriculum planning and implementation across early childhood education, kōhanga reo and the early years of school and kura.

¹ Continuity of Early Learning: Learning progress and outcomes in the early years – a literature scan (to be released soon); and ECE leadership for 5 out of 5 – a video and professional development workshop.
The main focus is on:

- identifying the key Te Whāriki implementation issues that need to be addressed;
- strengthening relationships and communication about progress and next learning steps with children, families and whānau, particularly at key transition points;
- identifying the support required to improve teaching practice in early learning including the need for teachers and leaders to understand the language, culture, and identity of all learners;
- examining practical ways to align curriculum planning, implementation, and evaluation across ECE, kōhanga reo and the early years of school and kura; and
- developing a plan for improving the implementation of Te Whāriki and aligning teaching practice across ECE, kōhanga reo and the early years of school and kura.

Membership

The membership of the advisory group will contain a mix of relevant experience and expertise. The group as a whole should include demonstrated knowledge and understanding of:

- early learning and development across 0-8 years;
- the early learning and schooling sectors in New Zealand, in particular deep knowledge of Te Whāriki, The New Zealand Curriculum and te Marautanga o Aotearoa;
- the planning, development, implementation, monitoring and review of curricula;
- improving teaching practice and practitioner skill sets, including models of change, evaluation of impact, and use of assessment information;
- the design and delivery of system-level interventions;
- teaching and learning resources;
- kaupapa Māori and fluency in te reo Māori (relevant to curriculum implementation in language immersion settings);
- Pasifika cultures and languages and expertise in networking with Pasifika communities; and
- children with special education needs.

Members will be chosen for their individual skills and expertise, not as representatives of their organisations.

Membership will consist of no fewer than six and no more than ten members.

Selection criteria and process

Nominations or applications for membership of the advisory group will be considered under these criteria:

- relevant experience and areas of expertise;
- understanding of opportunities and challenges in supporting quality curriculum design and implementation;
- appropriate level of cultural responsiveness and understanding of the importance of identity, language and culture in supporting children’s learning;
- knowledge of ECE or kōhanga reo and/or school and kura sectors in New Zealand and the environment within which they operate, including the Government’s responsibilities under Tiriti o Waitangi;
• knowledge of evidence relating to development, learning and effective teaching practice for children aged 0-8 years;
• ability to provide objective, evidence-based system-wide advice beyond their own involvement, experience or representation; and
• being available and able to commit to the whole process.

Role and scope

In scope:

Exploring effective practice in strengthening the implementation of Te Whāriki; and developing a plan to support continuity of early learning for children aged 0-8 years by:

• publishing key questions inviting responses from ECE, kōhanga reo, school and kura sectors;
• using targeted consultation and available evidence, including New Zealand and international experts, to identify the key curriculum implementation issues that need to be addressed and the effectiveness of current interventions;
• identifying the information, support and resources required to further strengthen curriculum implementation in ECE and kōhanga reo and in the early years of school and kura;
• identifying ways to strengthen whānau and families' knowledge and understanding of Te Whāriki;
• identifying ways to strengthen the connection and retention of children within education pathways, including the connection and retention from kōhanga reo to kura;
• examining practical ways to align curriculum planning, implementation and evaluation, and to articulate learning outcomes, across ECE and kōhanga reo and in the early years of school and kura;
• identifying any system obstacles to continuity of early learning, for example within the legislative, regulatory and funding regimes for ECE and kōhanga reo and in the early years of school and kura; and
• providing advice on a plan with workable solutions, that are culturally responsive and inclusive of all children, families and whānau, that the Government could take out for public consultation if significant changes are recommended.

The advisory group should have due regard to:

• the constrained fiscal environment under which the government operates;
• the opportunities and risks of any proposals;
• alignment with other Ministry of Education priorities, initiatives and programmes; and
• the recommendations of the ECE Taskforce, in particular in Essay 6 ‘Enhancing ECE through Te Whāriki’.

Out of scope:

Rewriting Te Whāriki, The New Zealand Curriculum or te Marautanga o Aotearoa.

Meetings and process

The Minister will appoint members, including selecting the chair.
The Ministry of Education will convene and provide secretariat support for meetings of the advisory group.

**Responsibility of members**

Members must:
- act in the best interests of all stakeholders, including children and parents;
- endeavour to provide objective, evidence-based advice; and
- dedicate sufficient time to make a meaningful contribution to the progress of the advisory group from December to late June 2015. It is expected that there will be five meetings early in the second week of February, March, April, May and June. There may also be a video conference meeting in December and in between group meetings.

Views of members will not be taken as those of their employers, or their organisations.

**Conflict of interest**

Advisory group members should perform their tasks honestly, impartially and in good faith. Members should also avoid situations that might compromise their integrity or otherwise lead to conflicts of interest.

If a member becomes aware of a conflict of interest, they will advise the Ministry of Education.

**Payment**

Eligible members will be entitled to a daily meeting fee to be paid in accordance with Cabinet Fees Framework [CO (12) 6 refers]. Members will be reimbursed for actual and reasonable travel and accommodation costs.

**Reporting**

The advisory group will report to the Group Manager ECE in the Ministry of Education.

**Term**

The advisory group’s advice should be delivered to the Minister of Education by 30 June 2015.

**Confidentiality**

Advice provided by the advisory group to officials will be treated in confidence.

Members will not disclose information provided to them in confidence by officials.

Members will not make media statements about the work of the advisory group.

**Official Information Act 1982**

The Official Information Act 1982 will apply without exception to the activities of the advisory group. The Ministry will be responsible for ensuring that members are aware of the provisions of the Act, and the extent to which written material is discoverable under it.
Appendix 3: Draft Terms of Reference for the Advisory Group on the Review of the Education Act 1989

Background
The Minister of Education (the Minister) intends to carry out a two-phase review of the Education Act 1989 (the Act) to create a more student-centred and outcomes-focused legislative framework for learners aged 0 to 18 years. The review will build on the recommendations of the Taskforce on Regulations Affecting School Performance. It may also be asked to consider issues raised by the Advisory Group on Early Learning that is running concurrently.

Scope of the review
The first phase of the review will establish the:

a. purpose and goals of education for learners aged 0 to 18 years by articulating, in primary legislation, an enduring vision of success for students and the diversity of pathways through which this can be achieved

b. best way of setting out the Government’s objectives for schooling, which are currently expressed in multiple documents, including the National Education Goals and National Administration Guidelines

c. mechanisms that are needed to enable Boards of Trustees to respond to the purpose, goals and objectives through their planning and reporting processes.

Except where consequential amendments are required, the first phase excludes:

- schooling provisions of the Act outside of those outlined above
- matters that are currently the subject of Government education initiatives
- schools’ status as individual Crown entities governed by Boards of Trustees
- the concepts of free, secular and compulsory schooling
- the role of the education agencies
- early childhood education, except where an overlap exists between this and schooling (e.g. to set purpose and goals for education and achieve continuity of early learning)
- tertiary education, except where an overlap exists between this and schooling (e.g. trades academies)
- changes that would reduce or increase government spending on education.

The second phase of the review will continue the move towards a more student-centred and outcomes-focused legislative framework. Further detail on the scope and engagement process for this phase will be determined in late 2015.

Purpose and role of the Ministerial Advisory Group
A Ministerial Advisory Group will oversee the first phase of the review. It will:

- develop options for a more student-centred and outcomes-focused Act in the three areas listed above, within the scope agreed by Cabinet
- provide advice to the Minister on approaches for engaging with the sector and the public
- oversee the development of a public discussion document for approval by the Minister and Cabinet
• lead the stakeholder engagement process with support from the Ministry of Education
• analyse feedback and report to the Minister on recommended changes to the Act
• provide regular updates to the Minister
• involve experts for advice on specialist areas where necessary.

The Ministerial Advisory Group will be expected to focus on policy in the context of best practice regulation. Drafting any amendments to legislation will be undertaken by the Parliamentary Counsel Office, following agreement by Cabinet.

Membership of the Ministerial Advisory Group

Members of the Ministerial Advisory Group will be appointed on the basis of relevant skills, experience and attributes, as follows:
• credibility with the education sector and wider community
• broad understanding of the educational needs of learners aged 0 to 18 years, including Māori, Pasifika, and those with special education needs
• skill in engaging with sector groups and the public on important issues (not necessarily in the education sector)
• an understanding of Māori medium education
• knowledge of accountability for learning and achievement
• expertise in regulatory change and improvement.

Once appointed, the Ministerial Advisory Group members will work collectively to fulfil the group’s purpose and role.

Meetings and process

The Ministerial Advisory Group will meet approximately monthly from February 2015 to August 2015 (about seven meetings in total), although more than one meeting may be required during the first month following its appointment. It is envisaged that each meeting will take 3-6 hours, with an additional 2-3 hours preparation for each meeting. In addition, one or more members will be present at public meetings, with the total number of public meetings to be determined.

Resources

The Ministry will provide a secretariat to support the Ministerial Advisory Group. A senior Ministry official will attend all Ministerial Advisory Group meetings.

The Minister of Education may provide guidance to the Ministerial Advisory Group.

Responsibility of members

Members must:
• act in the best interests of all stakeholders, including children and parents;
• endeavour to provide objective, evidence-based advice; and
• dedicate sufficient time to make a meaningful contribution to the progress of the advisory group from February to August 2015.

Views of members will not be taken as those of their employers, or their organisations.
Conflict of interest

Advisory group members should perform their tasks honestly, impartially and in good faith. Members should also avoid situations that might compromise their integrity or otherwise lead to conflicts of interest.

If a member becomes aware of a conflict of interest, they will advise the Ministry of Education.

Payment

Eligible members will be entitled to a daily meeting fee to be paid in accordance with Cabinet Fees Framework [CO (12) 6 refers]. Members will be reimbursed for actual and reasonable travel and accommodation costs.

Reporting

The Ministerial Advisory Group will produce a report by 30 August 2015 that provides advice on the purposes, goals and mechanisms for setting Government objectives of education for learners aged 0 to 18 years, and the best mechanisms for allowing schools to give effect to these purposes, goals and objectives.

The report will identify and analyse the issues and concerns that emerged from its research and consultation process, and make recommendations.

The Minister will decide when and how to release the report to the public.

Term

The Ministerial Advisory Group will initially be established for a period of seven months, commencing February 2015. It is expected that it will report back to the Minister towards the end of August 2015.

Confidentiality

Ministerial Advisory Group members will not disclose any confidential information or material provided by officials. All information gathered by the Ministerial Advisory Group in the course of its activity, and any reports that it produces, will be held by the Ministry.

Media statements

Any media statements from the Ministerial Advisory Group will be made by the Chair with approval in advance from the Minister of Education.

Official Information Act 1982

The Official Information Act 1982 will apply without exception to the activities of the advisory group. The Ministry will be responsible for ensuring that members are aware of the provisions of the Act, and the extent to which written material is discoverable under it.