

Impact Summary: Principal Appointment Eligibility Criteria

Section 1: General information

Purpose
The Ministry of Education is solely responsible for the analysis and advice set out in this Regulatory Impact Statement. This analysis and advice has been produced for the purpose of informing final decisions to proceed with a policy change to be taken by Cabinet regarding principal appointment eligibility criteria. This forms part of Cabinet decisions on the review of Tomorrow's Schools.

Key Limitations or Constraints on Analysis
There are no limitations on this analysis. The Tomorrow's Schools Independent Taskforce consulted widely with the education sector and the public at large to identify key issues and areas for change across the system. Effective school leadership was identified as a key enabler of better outcomes for learners. This process underpins the problem identification and options considered. We have utilised the consultation undertaken by the Taskforce when developing and prioritising options to address the issue of school leadership.

Responsible Manager (signature and date):
Dr Andrea Schöllmann  Deputy Secretary Education System Policy Ministry of Education 11/ 10 / 2019

Section 2: Problem definition and objectives

2.1 What is the policy problem or opportunity?

As leaders of teaching and learning, our principals are a critical point of influence on the quality of teaching and learning experienced by children and young people in our schooling system. It is, therefore, important that we do everything we can to identify and appoint the most talented and capable people to become principals.

At present, our system relies heavily on the ability and capacity of individual boards of trustees to identify, attract and employ highly effective principals in an environment of competition and constrained supply.

Boards are supported by NZSTA and the Ministry of Education with guidelines and templates that describe the key steps in appointing principals. This includes an expectation that each board will establish criteria and use those to evaluate candidates.

Boards also draw on a range of other support for appointment according to their own needs and networks. Boards may hire consultant advisers, undertake consultations with their school communities and staff about what they want from a principal, or ask other boards what they look for in a principal.

Ultimately, it is left up to each board to develop the selection criteria they will use to appoint a principal. There is no mandatory requirement that any particular skills, knowledge, attitudes or experience are included in those criteria, other than the Education Act 1989 requirement that the person appointed as principal is a registered teacher and holds a current practising certificate.

This results in variability of criteria used for principal appointments, and a lack of certainty that the criteria used are consistently valid and evidence based.

The role of a principal is materially different to that of a teacher so it is sensible to require a robust demonstration of capability at the point of entry to this role. This is consistent with the approach taken to entry to the teaching profession, which is regulated and requires qualifications and other criteria to be met.

Many international jurisdictions, including most of the Australian states and Singapore, among others, do require candidates for school principal roles to meet centrally mandated criteria¹. New Zealand is somewhat of an outlier in the hands-off role that the centre has in the appointment of principals.

The Tomorrow's Schools Independent Taskforce (the Taskforce) has identified variability in the capability and capacity of boards to deliver the functions they are required to undertake. This includes the employment and development of principals.

The Taskforce consulted widely, and heard that there were significant issues with the current school board model. The Taskforce heard that boards often don't have the support they need

¹ In these jurisdictions, principals are appointed and/or employed from the centre rather than by independent school boards.

to serve their school communities well and that board performance varies across the country.

The current strength of school leadership across the system was identified as a significant issue by the Taskforce.

The Taskforce recommended the establishment of a Leadership Centre to support a lift in the quality of school leadership. The functions of the Leadership Centre would include setting national eligibility criteria for principal/ tumuaki appointment. The Taskforce suggests this is a tool required to grow the quality of principalship.

The Teaching Council regulates the profession by setting the standards that must be met for entry to teaching and to maintain a practising certificate. It does not seek to influence the employment decisions of boards of trustees and does not set specific standards for principals. It has developed a Leadership Strategy and a capabilities framework for leaders, but does not mandate any specific capabilities for school leaders.

The Education Workforce Strategy, being developed by the Ministry of Education in partnership with a sector group, has included a focus on leadership as a core part of its approach. Work on the strategy has identified that a key weakness of New Zealand's schooling system is the lack of a systematic approach to the identification and development of leadership talent.

2.2 Who is affected and how?

This proposal will impact on boards of trustees and on candidates for principalship. As these are criteria for appointment, the proposal will not apply to current principals continuing in their roles.

Requiring criteria to be met before a principal can be appointed will influence the way Boards of Trustees, as employers, recruit and appoint principals. They will base appointments on a nationally consistent set of criteria rather than working out for themselves what criteria to use. This will help ensure that all principals have the essential skills, knowledge and attributes needed to lift the progress, achievement and wellbeing of learners.

The criteria will influence the way teachers consider and plan for their professional growth and leadership development by making clear the skills, knowledge and attributes that are essential to principalship.

In the same way, the criteria will also influence the range of programmes offered by PLD providers and tertiary institutions that support aspiring leaders.

The Ministry has a system stewardship responsibility to enhance the quality and effectiveness of school leaders. The evidence is clear that the quality of leadership has a significant impact on the achievement of learners.

2.3 Are there any constraints on the scope for decision making?

There are no constraints on the scope for decision making.

Section 3: Options identification

3.1 What options have been considered?

The options were considered in terms of the following criteria:

- *The strength of the intervention* – How well the option enables government to ensure quality principal appointments are made and supports BOTs in their decision-making
- *Coherence with wider policies and objectives regarding school leadership* – particularly with the direction of the Tomorrow's Schools review and the education workforce strategy
- *Consistency with the responsibilities of other entities that are interested in the quality of principal appointments* – particularly with regard to the independent statutory authority of the Teaching Council and the roles of boards of trustees as employers of principals in individual schools, and the Ministry's system stewardship role.

Option 1

Update the current guidelines about principal appointment to include core eligibility criteria that could be used.

Both the Ministry of Education and the New Zealand School Trustees Association provide guidelines and resources for boards of trustees to use to help them make principal appointments. These guidelines could be revised to be more explicit about the criteria boards are encouraged to use.

The strength of the intervention

This option would strengthen the expectation that boards apply more rigorous and consistent criteria that align with the evidence about the capabilities required of their principals. However, boards would not be obliged to follow the guidelines. The risk would remain that boards do not apply effective and nationally consistent criteria to ensure they make good appointment.

Coherence with wider policies and objectives regarding school leadership

This approach is not in conflict with wider policy direction. However, the Taskforce signalled it expected to see stronger arrangements underpinning principal leadership in schools.

Consistency with the responsibilities of other entities that are interested in the quality of principal appointments

This option does not conflict with the independent status of the Teaching Council which sets standards for the profession and the issuing of practising certificates.

It also maintains the high level of independence boards of trustees have as employers of their chief executive.

Option 2

Include criteria for the appointment of principals in primary legislation, and require the Minister or someone delegated by him or her, such as the Teaching Council, to issue them.

In this option, it would be mandatory for principals to meet specific criteria before they could be appointed. The criteria used to make appointments would be developed and enshrined in the Education and Training Bill.

This approach could put pressure on the supply of principals who met the criteria, with consequent upward pressure on principal remuneration. The extent to which the criteria exceed what is currently or reasonably expected of principals now would influence the level of any shortage of supply.

The strength of the intervention

This approach makes full use of the regulatory lever, but legislation may not be suitable for leadership criteria, which would be relatively detailed and may need to be adjusted from time to time to reflect changing circumstances or evidence.

Coherence with wider policies and objectives regarding school leadership

This approach supports the Government's goal of lifting the quality of school leadership. However, it is not consistent with the approach to criteria elsewhere in our system for the appointment of teachers and principals to Kāhui Ako roles. In those cases the criteria are not included in the primary legislation.

Consistency with the responsibilities of other entities that are interested in the quality of principal appointments

Setting mandatory criteria for the appointment of principals does not conflict with the role of the Teaching Council which sets standards for membership of the teaching profession and does not get involved in individual employment decisions appointments.

This option does impinge on the level of independence currently enjoyed by boards of trustees as employers. This option supports the Ministry's interest in lifting the quality of school leaders across the system.

Option 3

Include provision in the Bill requiring the Minister of Education, or delegated authority such as the Teaching Council, to issue specific criteria that must be met before a principal can be appointed. The Minister would also be required to consult the Teaching Council and other professional bodies on the proposed criteria.

This option would establish a legislative requirement for the Minister, or someone delegated by the Minister such as the Teaching Council, to issue criteria for the appointment of principals. The criteria would not be included in the primary legislation under this option.

As with option 2 above, this approach may lead to pressure on the supply of people who

meet the criteria, so could result in higher remuneration for principals. Consulting on the criteria developed through this option would increase understanding of the criteria and give more time for prospective principals to plan for them, so any increased investment in principal preparation and salaries would be better value spend.

The strength of the intervention

Legislating a mandatory requirement that criteria must be met will strongly influence and support the behaviour of boards as employers and teachers applying for principal roles and is likely to make a positive difference to the quality of appointment decisions boards make.

Coherence with wider policies and objectives regarding school leadership

This option is consistent with the wider policy objectives of lifting the quality of leadership generally and principal appointments specifically by requiring criteria to be met. It is also consistent with the way criteria are used in other situations, where they are developed in consultation with stakeholders and set out in operational rules and policies rather than in primary legislation. This increases the sense of ownership of the criteria by those that will be most affected – teachers, principals and boards.

This option aligns to the wider education work programme goals, including the recommendations by the Independent Taskforce on the Tomorrow's Schools review, to strengthen the quality of leadership. The issue has been well canvassed through the Taskforce's consultation processes and broadly supported.

Consistency with the responsibilities of other entities that are interested in the quality of principal appointments

The requirement to consult the professional body, the Teaching Council, means the criteria are likely to align to the standards for the profession already set by the Council. Requiring the Minister, or delegated person, to issue criteria means the Teaching Council can influence and endorse the criteria without compromising the Council's separation from individual employment decisions.

3.2 Which of these options is the proposed approach?

Option 3 is the preferred approach: Include provision in the Education and Training Bill requiring the Minister of Education, or delegated authority such as the Teaching Council, to issue specific criteria that must be met before a principal can be appointed. The Minister should also be required to consult the Teaching Council and other professional bodies on the proposed criteria.

This option most strongly meets the criteria outlined above.

It is consistent with the findings of the Tomorrow's Schools Taskforce, which have been tested with the profession and the wider community.

It is relatively simple to enact through the Education and Training Bill already planned for introduction. The requirement in the Act to issue criteria sends a clear supportive signal to boards that there are essential capabilities that principals must have. It also incentivises teachers aspiring to principal roles to be deliberate about their professional growth and learning to ensure they can demonstrate they meet the criteria.

In doing so this approach supports an ongoing and systematic leadership development pipeline that is based on quality agreed with the profession. A co-design process with key stakeholders will increase the ownership of the criteria by those that are most affected, the profession and boards of trustees. This increases the effectiveness of the criteria and the achievement of government's quality improvement objectives.

There may be a downstream fiscal impact through upward pressure on principal remuneration, but getting good buy in to the criteria will support the desired behaviour change to be realised and any increased spend is likely to be better value for money.

Section 4: Impact Analysis (Proposed approach)

4.1 Summary table of costs and benefits

Affected parties (identify)	Comment: nature of cost or benefit (eg ongoing, one-off), evidence and assumption (eg compliance rates), risks	Impact \$m present value, for monetised impacts; high, medium or low for non-monetised impacts
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Additional costs of proposed approach, compared to taking no action

Regulated parties Boards of trustees	There will be a small cost for boards of trustees in upskilling themselves on the criteria. This is an activity that boards already engage in to develop their own criteria so the net impact would be negligible. There could potentially be a	Low
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	saving as criteria are centrally provided rather than having to be developed by individual boards.	
Regulated parties Teachers aspiring to become principals	There could be a cost to teachers aspiring to be principals, and/or boards as employers, in terms of professional development which would need to be aligned to the criteria. Teachers are already required to undertake satisfactory professional development.	Low/medium
Regulators of Ministry of Education	There will be some cost to government associated with the consultative approach to developing criteria. There may be flow on costs relating to the provision of professional development for teachers and on supporting key stakeholders (including principals and Boards of Trustees) understand the new criteria. There is potential upward pressure on remuneration for principals through higher quality expectations. This could lead to claims being made to reflect these raised expectations in collective agreements.	Low Medium Low/Medium
Wider government	N/A	N/A
Other parties	N/A	N/A
Total Monetised Cost	N/A	N/A
Non-monetised costs		Low/medium

Expected benefits of proposed approach, compared to taking no action

Regulated parties Boards of trustees	Greater certainty for boards about what they should expect from principals when making appointments leading to better appointments and positive outcomes for their learners. This could reduce costs as they would not have to develop their own criteria but could use the centrally provided criteria.	Medium/High Low
Regulated parties Teachers aspiring to become principals	Teachers would have more certainty about what is required to become a principal and can plan their professional development accordingly. They would get better return from the professional	medium

	development knowing that it was well aligned to the leadership pathways	
Regulators Ministry of Education	The proposal to require agreed criteria to be met will increase the consistency of BoT consideration of principal appointments. This supports the Ministry's objective and system stewardship responsibilities of lifting the quality and consistency of professional school leadership.	Medium/High
Wider government	N/A	N/A
Other parties Learners and whanau	Evidence is clear that lifting the quality of leadership in schools has a significant influence on the progress and achievement of learners. This proposal to require criteria are met before principals can be appointed will contribute to a lift in the quality of school leaders and lead to benefits for learners and their whanau.	Medium
Total Monetised Benefit		
Non-monetised benefits		Medium/High
4.2 What other impacts is this approach likely to have?		
N/A		

Section 5: Stakeholder views

5.1 What do stakeholders think about the problem and the proposed solution?

In phase one of their consultation process, the Taskforce heard that there were significant issues with the current school board model. The Taskforce heard that boards often don't have the support they need to serve their school communities well and that board performance varies across the country.

The current strength of school leadership across the system was identified as a significant issue by the Taskforce. There was broad support for the Taskforce's recommendations regarding the roles and functions of a Leadership Centre, and people were interested in what national guidelines for eligibility for principal roles would look like.

On the basis of the positive feedback it received, the Taskforce has, in its final report, retained many of its initial recommendations relating to the establishment of the Leadership Centre and its functions. Its final report therefore recommends that:

- *Recommendation 8(f): a national Leadership Centre is established.... **and that it should provide national eligibility criteria for application to be a principal/tumuaki***

The issue of establishing a leadership centre is being considered separately to the proposal to introduce mandatory principal appointment criteria.

Section 6: Implementation and operation

6.1 How will the new arrangements be given effect?

Legislative vehicle

A provisions requiring the Minister, or delegated authority, to issue criteria will be included in the Education and Training Bill.

Communications

There will be a communications strategy for publicly announcing the commencement of the Bill. This will likely include communicating to all schools through the School Bulletin and informing relevant peak bodies. The Ministry of Education's social media platforms will also publicise the law change.

Transitional arrangements

There will be transitional arrangements to allow for teachers and boards already engaged in or planning appointments to amend their approach.

Responsibility for operational arrangements

The Ministry of Education will be responsible for administering the new requirements and for managing the development and implementation of the criteria in consultation with the profession. Additional funding, if any required, will be sought through a future budget process

New arrangements coming into effect

The commencement provisions are still being finalised. However, the legislative framework can come into effect upon commencement, but requirements will come into effect once criteria have been developed in consultation with the profession.

Other agencies

We will consult with relevant stakeholders, including the Teaching Council and peak bodies, during the development of the criteria for appointments.

Section 7: Monitoring, evaluation and review

7.1 How will the impact of the new arrangements be monitored?

The New Zealand School Trustees Association (NZSTA) provides support to boards of trustees, including for appointment processes. We would monitor the levels and nature of support boards are seeking from NZSTA and consider contracting NZSTA specifically to monitor the application of the criteria and how they impact on Board appointment decision making.

Through the Ministry's system of support for Boards of Trustees we will be able to identify and track the nature of interventions the Ministry puts in place, including those that relate to the employment of principals.

We would expect to see an impact on the level and type of professional development sought by teachers aspiring to be principals. Systems and arrangements are already in place that track and monitor the demand and supply of centrally provided professional development.

7.2 When and how will the new arrangements be reviewed?

The arrangements will be reviewed if it becomes apparent that there are significant challenges for boards recruiting principals or that prospective principals cannot meet the criteria.

Principal representative groups such as the New Zealand Principals Federation the Secondary Principals Association of New Zealand and Te Akatea Māori Principals Association regularly survey their members and we would expect any issues to be brought to our attention through our regular engagement with these groups.