



Te Kāwanatanga o Aotearoa
New Zealand Government

Briefing to the Incoming Minister

TE TĀHUHU O TE MĀTAURANGA

THE MINISTRY OF EDUCATION

February 2023



Te Mahau



Te Tāhuhu o
te Mātauranga
Ministry of Education

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Kia ora Minister

Congratulations on your promotion. This Briefing to the Incoming Minister (BIM) is intended to support you in the extension of your responsibilities to include the whole Education portfolio.

It sets out the scope of your responsibilities, the role and purpose of the Ministry, what we do, how we work, and how we can support you in your role. This BIM also sets out the education context and information about the funding administered by the Ministry.

For completeness, this briefing covers the whole portfolio. However, we will provide further introductory briefings on the areas that were not previously part of your delegations, as well as providing information for Hon Jo Luxton in her role as your Undersecretary. These introductory briefings can include:

- » Early learning
- » Tertiary education
- » Transport, infrastructure, and digital
- » Pacific education
- » Industrial relations

These briefings can be provided as early as Friday 03 February 2023. You may wish to commission additional briefings on specific issues.

We will also be providing a briefing to you, as a member of the Youth Engagement Ministerial Group, on future opportunities for the Youth Engagement workstream.

As Minister responsible for the Vote and the legislative programme, you will also receive routine briefings on these topics over the coming weeks.

A list of actions that require your decisions up until 30 June 2023 is provided for you in Annex 1. More information will be provided to you through a series of subject-specific follow-up briefings as a basis for decisions you may wish to take.

We look forward to continuing to work with you.



Iona Holsted

Your responsibilities as Minister

As Minister of Education you are responsible for education system leadership, deciding the direction and priorities for the education system, and determining, promoting and defending policy decisions.

The Education and Training Act 2020

The Education and Training Act 2020 (the Act) provides the legal framework for our education system, from early childhood education and primary and secondary education, through to tertiary education.

The Act specifies education rights and obligations; statutory education entities' roles – including the Teaching Council of Aotearoa New Zealand, Education New Zealand (ENZ), the Tertiary Education Commission (TEC) and the New Zealand Qualifications Authority (NZQA) among others – and their governance; the licensing and funding of early childhood education (ECE) services; school management and governance; international education; and the tertiary education sector entities' roles and responsibilities.

A summary of all the legislation administered by the Ministry is in Annex 3, which also includes details on the broader statutory context and international obligations.

Your role as a Vote Minister

You are the appropriation Minister responsible for Vote Education, Vote Tertiary Education and Vote Education Review Office. This gives you responsibilities as lead Minister for the Education Portfolio throughout the annual Budget process, making decisions on matters with fiscal implications throughout the year, and representing Government at select committee as part of the annual scrutiny undertaken by Parliament.

Your regulatory and accountability responsibilities include:

- » setting the legislative priorities for the Education portfolio
- » making decisions on any education legislative changes to be included in the Legislation Programme
- » making decisions on regulations to be made under the primary legislation
- » representing policy and operational education issues in the House of Representatives
- » holding responsibility for Vote Education and Vote Tertiary Education non-departmental appropriations
- » presenting the Ministry's Annual Report to the House of Representatives

Your early learning and schooling responsibilities include:

- » issuing government strategies and other guiding documents for the sector, including the National Education Learning Priorities (NELP) and curriculum statements and frameworks
- » setting principal appointment criteria and regulating the teaching profession, including pay arrangements¹
- » approving network management applications for ECE services

¹Under the Education and Training Act 2020, the Public Service Commissioner is responsible for negotiating under the Employment Relations Act 2000 (the Act) every collective agreement applicable to employees in the education service as if the Commissioner were the employer. Typically, the Commissioner delegates their powers under these provisions to the Secretary for Education. In exercising their delegated powers in respect of collective agreement negotiations, the Secretary will consult you as Minister regarding mandate considerations – particularly in respect of funding and policy decisions requiring sign off by Cabinet. As Minister, you will be expected to respond to questions about the conduct of bargaining (including interruptions to education due to strike action) and in some instances the substance of union and Ministry claims, and Ministry responses to union claims.

- » establishing different types of schools, intervening with schools, and closing schools due to operational or educational risk
- » determining the grants and setting conditions on funding for ECE services.

Your tertiary and international education responsibilities include:

- » issuing government strategies and other guiding documents for the sector, including the Tertiary Education Strategy (TES)
- » overseeing universities, Wānanga, and Te Pūkenga, including making Council appointments, and statutory interventions if required
- » setting the framework for the quality assurance, investment planning, funding and monitoring of tertiary education organisations
- » overseeing the code of pastoral care for tertiary and international learners
- » overseeing organisational change as part of the Reform of Vocational Education, particularly the Te Pūkenga future operating model and financial sustainability.

Your responsibilities with Crown entities and statutory bodies include:

- » being involved in an accountability relationship between Crown entities, their board members and you as a responsible Minister. The Ministry is responsible for ownership monitoring of the Crown entities,

whose Boards are responsible for directing their day-to-day operations

- » playing a key role in the governance of NZQA, TEC and ENZ as Crown entities and being responsible to the House of Representatives for overseeing and managing the Crown's interests in and relationships with them
- » acting as a shareholder Minister, alongside the Minister of Finance, for the Crown-owned companies Network for Learning (N4L) and Education Payroll Limited (EPL). The Treasury is responsible for ownership monitoring
- » holding a limited role in relation to the Teaching Council of Aotearoa New Zealand and the New Zealand Council for Educational Research (NZCER)

Descriptions of the different types of entities and bodies and their independence is included in Annex 2.

Te Tiriti o Waitangi expectations

With recent legislative change in the Public Service Act 2020, and more specifically in the Education and Training Act 2020, parliamentary expectations around Te Tiriti o Waitangi are clear. The Education and Training Act's purpose includes establishing and regulating an education system that honours Te Tiriti o Waitangi and supports Māori Crown relationships.

Te Tāhuhu o te Mātauranga

Ministry of Education

We shape an education system that delivers equitable and excellent outcomes. We fulfil this purpose through two distinct roles.

We are working on the policy, settings, and performance of the education system so that it is well placed to deliver outcomes for ākonga and their whānau, from early learning through schooling and tertiary education.

Our operational role delivers services and support nationally, regionally, and locally. This includes our regulatory role and services that we provide directly to ākonga and whānau, such as specialist learning support, although most of our services are delivered through the education sector workforce and others that work with them.

The major shift underway for us as an organisation is to implement the design for Te Tāhuhu o te Mātauranga, including Te Mahau.

As you are aware, this follows Ministers' decisions to implement Government support for all schools to succeed – Government's response to the Review of Tomorrows Schools, specifically to:

- » Establish a more responsive, accessible, and integrated local support function for early learning services and schools by substantially rebalancing the Ministry of Education towards more regional and local support, through the establishment of a separately branded business unit Te Mahau.
- » Establish stronger arrangements to underpin principal leadership of the schooling system.
- » Create a better balance between local and national responsibilities for the network of schooling property and provision.
- » Establish a nationally based Curriculum Centre (as part of Te Mahau) to provide curriculum leadership and expertise

The design is intended to support us to change how we work – delivering more responsive, accessible and integrated services and support to the sector taking practical action to give effect to Te Tiriti o Waitangi, giving priority to regional and local voices, and improving our feedback loops and information flows.

The changes represent the first time we have had the opportunity to step back and design Te Tāhuhu o te Mātauranga in detail, to support how we work to provide locally, regionally, and nationally integrated services to improve the overall system.

Over time, we will be moving resources and decision-making closer to the front line to provide a more responsive, accessible, and integrated local support system that works for schools, kura and early learning services.

You can refer to Annex 4 for further information on our organisational structure.

Mahi tahi | Working with others

We work closely with Iwi Māori

Iwi Māori and the education sector work together to support Māori learners and their whānau to enjoy success as Māori. Ka Hikitia – Ka Hapaitia and Tau Mai Te Reo provide the strategic direction for this with our Te Mahau takiwā holding the regional and local relationships with Iwi and Hapū. At a national level the Mātauranga Iwi Leaders Group is a key relationship.

In the tertiary education system, we are working with the Wānanga subsector to better recognise the Tiriti-based relationship between the Wānanga and the Crown, the mana and rangatiratanga of the Wānanga, and the unique role the Wānanga play in the tertiary education system.

Education Agencies

The teams in your education agencies work closely together on a day-to-day basis. The roles and status of each is outlined in Appendix 2. Agency Chief Executives meet as a group on a monthly-six weekly basis through the Education Sector Governance group (ESG) made up of CEs of the Ministry, TEC, NZQA, ERO, the Teaching Council and Education NZ. Each quarter they are joined by the CEs of the wider education agencies to make up the Education Sector Stewardship Forum (ESSF). This wider group also includes the CEs from EPL, N4L and Te Aho o Te Kura. These fora provide the opportunity for CEs to engage on emerging risks and opportunities across the system and bring joint cut-through to priority issues where needed.

Social sector agencies

We work closely alongside other government agencies and education sector organisations. We are part of many groups, such as the Youth Engagement Ministers Group and the Joint Venture Board to Eliminate Family Violence and Sexual Violence. We can provide you with more detailed briefings on groups that we are part of, with our joint purpose and activities.

Economic policy agencies

Education makes a significant difference to the economy by developing skills, tomorrow's entrepreneurs and employees, and the capacity of our existing workforce.















We are collaborating with the Ministries of Social Development and Business, Innovation and Employment, the Employment Education and Training Ministerial Group and TEC to align the education system with labour market policies and to provide the practical support required.

International Sector

We develop and maintain education relationships with key countries, and contribute to the education-related components of many multilateral organisations. We manage international obligations by contributing to the education-related aspects of Aotearoa New Zealand's human rights reporting process, and education specific legal instruments.

An overview of the education sector

Responsibility for the delivery of formal education in Aotearoa New Zealand is highly devolved. The management, governance and leadership of the early learning, schooling and tertiary sectors is the responsibility of largely autonomous boards of trustees, councils of tertiary institutions and other individual providers. Each provider makes their own decisions, albeit within a regulatory framework, about how to meet the learning and wellbeing needs of their young or adult learners.

EARLY LEARNING	PRIMARY AND SECONDARY	TERTIARY
 195,000 ākonga	 827,000 ākonga	 570,000 ākonga
 33,000 kaiako	 72,000 kaiako	 21,000 kaiako
 4,700 licensed services	 2,500 schools and kura	 300 providers
 \$2.3 billion government funding	 \$8.1 billion government funding	 \$5.2 billion government funding
Guided by: Te whāriki: He whāriki mātauranga mō nga mokopuna o Aotearoa Te whāriki a te Kōhanga Reo	Guided by: Te Marautanga o Aotearoa (Māori-medium) The New Zealand Curriculum (English-medium)	Guided by: New Zealand Qualifications Framework
	 National Certificates of Educational Achievement University Entrance	 New Zealand certificates and diplomas, degrees and postgraduate qualifications
Early Learning options include: <ul style="list-style-type: none"> » Kōhanga reo » Kindergartens » Playcentres » Education and care services including Māori and Pacific bilingual and immersion services » Home-based education and care » Playgroups 	Primary and secondary options include teaching in Māori and English-medium, as well as bi-lingual, dual-medium, and Pacific language settings in: <ul style="list-style-type: none"> » Kura Kaupapa Māori Aho Matua, Kura-a-lwi and other schools where learning occurs through te reo Māori » State schools » State-integrated schools » Designated character schools » Private schools » Home schooling 	Tertiary options include: <ul style="list-style-type: none"> » Wānanga » Te Pūkenga (NZIST) » Universities » Private training establishments » Transitional industry training organisations » Community providers Supported by: <ul style="list-style-type: none"> » Workforce Development Councils » Regional Skills Leadership Groups

Note: Figures are for the 2021 calendar year for ākonga, kaiako and places of learning. Expenditure figures are for the 2020/21 financial year.

The Education portfolios account for a significant proportion of Government expenditure each year

The education portfolios account for \$20.4 billion in budgeted expenditure (OBU 2022/23

GST excluded). The Ministry of Education administers this expenditure in two Votes. 75% percent of these funds consist of non-departmental funding (see Figure 1) and go directly to providers.

We oversee the Crown’s investment in the sector which is impacted by population growth and economic conditions.

Over 90% of Vote Education spend is demand driven and impacted by population growth. This includes teacher salaries, infrastructure and early learning subsidies.

We monitor the largest payroll in the country, making payments to around 96,000 school staff each fortnight, which is managed by the Crown entity Education Payroll Limited.

We manage the Government’s second largest social property portfolio, and therefore play a key role in the construction sector and management of the Crown’s balance sheet.

The school property portfolio had a book value of \$26.4 billion and a replacement value of \$43.6 billion at 30 June 2022.

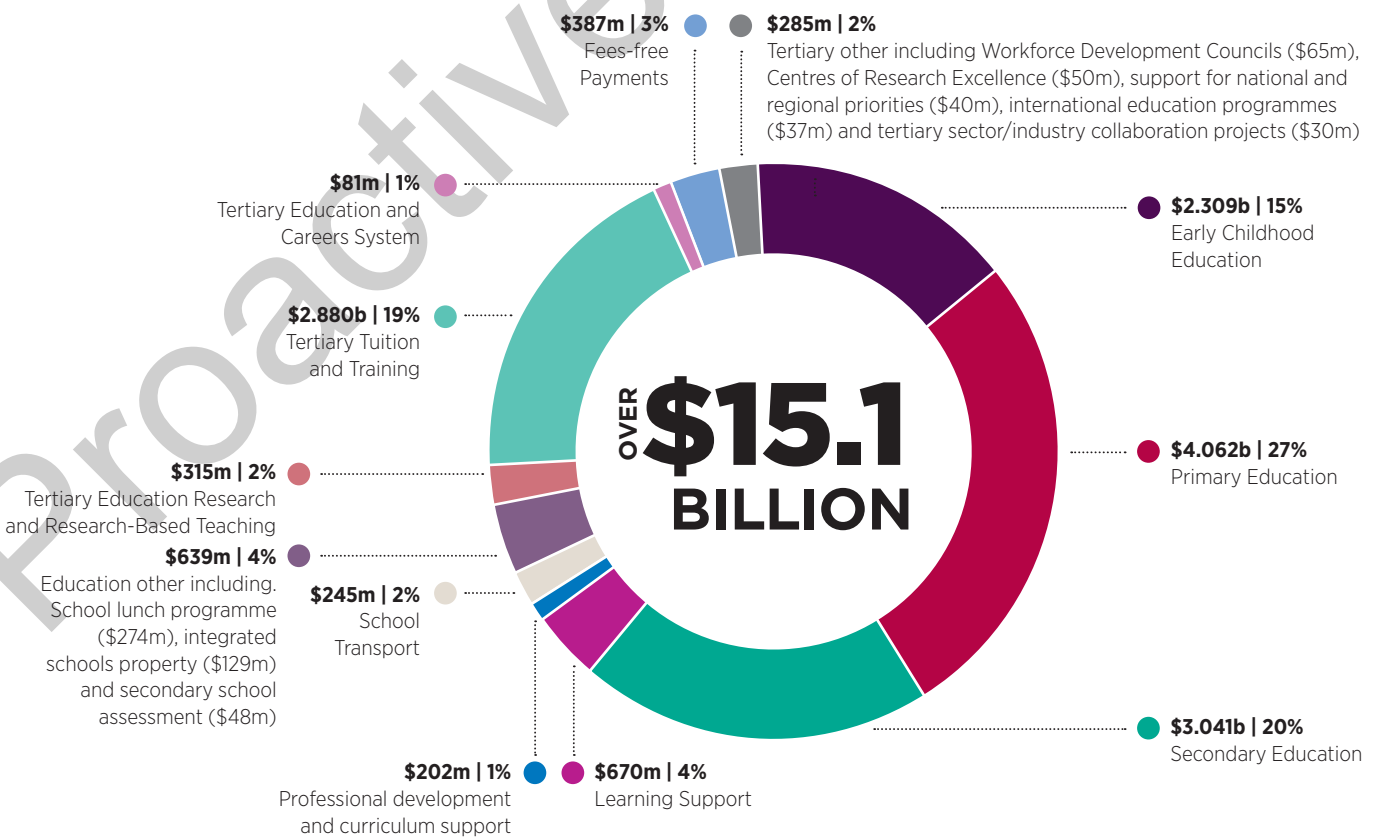
We also influence spending of others.

As the Minister responsible for Vote Tertiary Education, you set the policy direction for a further \$1.365 billion in operating and \$1.766 billion of capital spending for student support (e.g., Student Allowances and the Student Loan Scheme), and \$212 million for the Apprenticeship Boost Initiative, administered under Vote Social Development and Vote Revenue.

The Minister of Education is also responsible for Vote Education Review Office.

Figure 1: 2022/23 non-departmental expenditure

Vote Education = \$11.168b
Vote Tertiary = \$3.948b



Less than a quarter of education investment is departmental

The Ministry receives departmental funding which it uses to support and provide services directly to the education sector (Figure 2). Most of this departmental funding relates to management of the schooling property portfolio, \$2.6 billion per annum.

The Ministry faces significant sustainability challenges to its departmental baseline going forward

The Ministry is facing significant falls in its core departmental baseline².

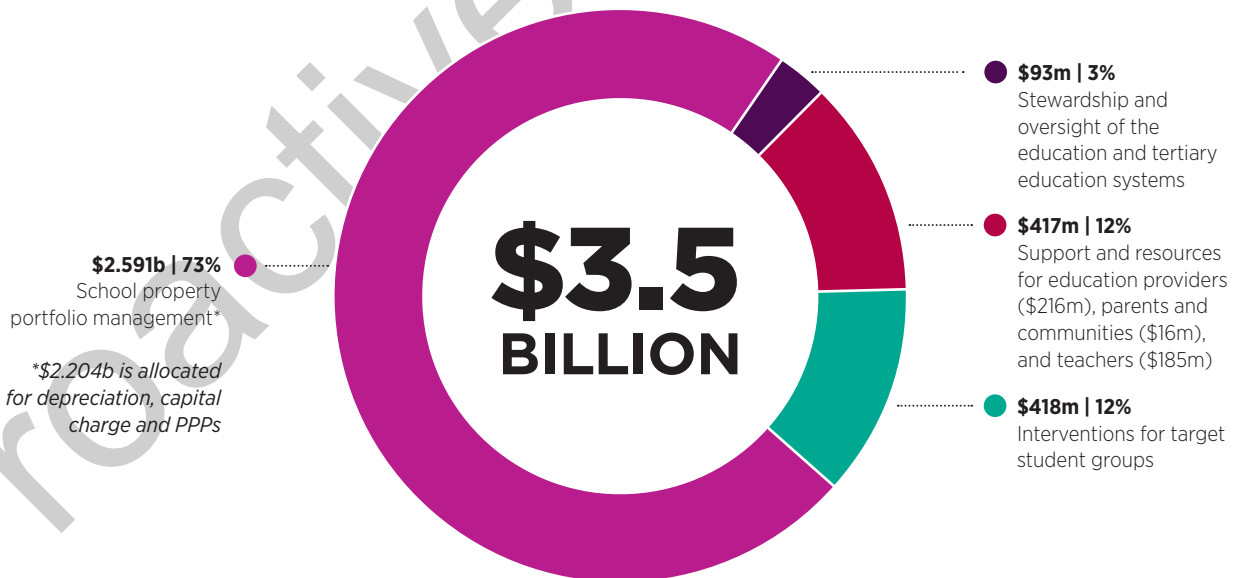
These funding drops are caused primarily by time-limited funding ending, for example, COVID-19 and one-off property-related funding.

In addition, the Ministry faces compounding departmental operating cost pressures due to the increasing demand for and price of education services, particularly wage inflation which makes up a significant proportion of our expenditure, other cost pressures experienced by its work programmes and inflationary pressures.

Funding received is mostly tagged to specific outcomes and deliverables, and unfunded or partially funded initiatives require significant resources. We provide you with updates on this in your quarterly report.

The Ministry continues to closely monitor its departmental budget with cost pressures being managed through the baseline update process and budget bids process where possible.

Figure 2: 2022/23 departmental expenditure



Vote Education and Vote Tertiary = \$3.525b

² Departmental baselines, excluding depreciation, capital charge and the cost of payments relating to the schools built, financed and maintained under Public Private Partnerships (PPPs) provides a better view of the Ministry’s useable funding.

Strategic Priorities

Statement of National Education and Learning Priorities (NELP) and the Tertiary Education Strategy (TES)

The NELP and TES set out the Government's specific priorities for education. Issued under the Education and Training Act 2020, they direct government agencies and the education sector towards the actions that will make the biggest difference to achieve the education objectives. The NELP and TES is presented as a single strategy with priorities that are shared across early learning, schooling and tertiary education.

Some of the other key strategies that we are implementing include Ka Hikitia, Tau Mai Te Reo, the Action Plan for Pacific Education, and the Attendance and Engagement Strategy.

NELP and TES objectives and priorities



OBJECTIVE 1:

KO NGĀ ĀKONGA TE IHO
LEARNERS AT THE CENTRE

Priority 1:
Ensure places of learning are safe, inclusive and free from racism, discrimination and bullying

Priority 2:
Have high aspirations for every ākonga, and support these by partnering with their whānau and communities to design and deliver education that responds to their needs, and sustains their identities, languages and cultures



OBJECTIVE 2:

KĀORE HE TAUĀRAI I ROTO I
TE MĀTAURANGA
BARRIER-FREE ACCESS

Priority 3:
Reduce barriers to education for all, including for Māori and Pacific ākonga, disabled ākonga and those with learning support needs

Priority 4:
Ensure every ākonga gains sound foundation skills, including language, literacy and numeracy



OBJECTIVE 3:

NGĀ WHAKAAKORANGA ME TE
HAUTŪTANGA KOUNGA
QUALITY TEACHING AND LEADERSHIP

Priority 5:
Meaningfully incorporate te reo Māori and tikanga Māori into the everyday life of the place of learning

Priority 6:
Develop staff to strengthen teaching, leadership and learner support capability across the education workforce



OBJECTIVE 4:

TE ANAMATA O TE AKO ME TE MAHI
FUTURE OF LEARNING AND WORK

Priority 7:
Collaborate with industries and employers to ensure ākonga have the skills, knowledge and pathways to succeed in work



OBJECTIVE 5:

HE MĀTAURANGA TŪMATANUI
TAUMATA TIKETIKE O TE AO
WORLD-CLASS INCLUSIVE
PUBLIC EDUCATION

Priority 8:
Enhance the contribution of research and mātauranga Māori in addressing local and global challenges (TES only)

Significant strategic issues for the future of the education system

We have identified a series of emerging strategic issues that we would like to brief you on, in order to inform the Government's future priority-setting for the portfolio.

These cover areas such as the case for early intervention in the education system, curriculum implementation (in particular our approach to assessment and the Common Practice Model), education's role in supporting at-risk youth, the education workforce and leadership, and potential game-changers such as the use of AI in education.

Your office has also identified some strategic topics that you would like to discuss. We can work with you to set up a series of briefings and strategic discussion sessions over the coming months.

Reprioritisation

The Prime Minister has indicated that he has asked Ministers to consider what policy changes and programmes could be re-prioritised to free up resources to help with issues such as the cost of living. We understand Cabinet decisions on this are expected in early February. We have developed a shortlist which we can discuss with you at your next agency meeting. We can also advise on any policies or programmes that you, your Associates or Undersecretary are considering for re-prioritisation.

We understand that the Prime Minister's invitation is focused on managing the overall volume of government business and the extent of change for businesses and public services, in addition to fiscal savings. As you know, it is our view that it is important to carefully manage and stage the pace of change and the number of new initiatives in the education sector, across early childhood, schooling and tertiary education. Our initial list has been drawn up on this basis.

There is also a fiscal savings process running through Budget 2022, and you have already been briefed on the Treasury's list of possible options. We are working on alternative savings options and will brief you on these in the near future.

Annex 1: Actions up until the end of June 2023

We envisage the following actions will require your input between now and the end of June 2023. In addition, the Ministry provides an Education Weekly Update report which includes more routine items.

NAME	DESCRIPTION	MILESTONE
School changes and closures	Ministerial decisions are needed at key stages of school closures or changes to school classes and constitutions, which arise throughout the school year.	Ongoing
Combined Dispute Resolution Scheme	Decisions around establishing the combined dispute resolution scheme for international students and domestic tertiary students, including on the rules and appointment of an operator.	Early 2023
Māori medium and Kaupapa Māori education pathways work programme	Joint engagement with Māori regarding next steps for the work programme, including the Treasury Business Case.	Early 2023
Taumata Aronui	Agree to ask Taumata Aronui members to continue to serve until March 2024 and explore options for Tiriti-consistent working arrangements to progress their vision for Māori success in the tertiary education system.	January 2023
School appointees	Decisions about Ministerial appointees at Halswell and Westbridge.	January – February 2023
Early Learning	Agree to: <ul style="list-style-type: none"> » consult with the early learning sector on a new funding system to achieve pay parity » prioritise options to support Māori and Pacific bilingual and immersion education and care services. 	February 2023
International travel	Decisions sought on ministerial travel and attendance at international events in the first half of 2022.	February 2023
Professional learning for curriculum and assessment	Discuss the direction of work to strengthen the professional learning support ecosystem.	February 2023
Hei Raukura Mō te Mōkōpuna	Finalise the Hei Raukura Mō te Mōkōpuna Mahere Mai Action Plan.	February 2023
Aromatawai	Finalise the refreshed National Aromatawai position paper.	February 2023
Forecast Changes for Teacher Salaries, Operational Funding and ECE Subsidies	Seek the Minister of Finance's agreement to Forecast Changes for large areas of demand-driven expenditure as part of the March Baseline Update (MBU) process.	February 2023
Early Learning - New Equity Index	Discuss potential delivery date of new index funding to the sector.	February 2023
Ministerial Board appointments	Agree upcoming Board Appointments for Education New Zealand .	February – March 2023
Budget 2023	Bilateral with the Minister of Finance on proposed education package.	Late February 2023
	Finalise education package.	Mid-March 2023
	Cabinet/joint Minister approval of education package.	Early April 2023
	Budget announcements (noting early announcements of some initiatives may be possible).	May 2023
9(2)(g)(i)		
Literacy & Communication and Maths Strategy	Discuss the draft pedagogical approaches for the Common Practice Model and agree to wider testing.	February – March 2023
Conference of Pacific Education Ministers	Confirm new hosting arrangements for the Conference of Pacific Education Ministers, being held in Auckland 20-22 March 2023.	March 2023

NAME	DESCRIPTION	MILESTONE
Physical Restraint Guidelines	Agree the Minister's public announcement of the new Physical Restraint Guidelines at a school yet to be determined.	Early March 2023
Responding to UNCRPD recommendations	Decide on how to respond to the recommendations from the UN Committee on the Rights of Persons with Disabilities regarding residential specialist schools.	March 2023
Minister's Youth Advisory Group	Select four new members to join the group.	March 2023
NCEA Change Programme – Literacy and Numeracy Te Reo Matatini me te Pāngarau	Agree to transition options for the Literacy and Numeracy Te Reo Matatini me te Pāngarau co-requisite in 2024 and 2025.	March 2023
	Release the results from the second assessment - Literacy and Numeracy pilots to the public on the NCEA Education website.	March 2023
Ministry Data / Publication releases	<ul style="list-style-type: none"> » Note the release of Term 3 student attendance data » Note the release of NMSSA 2021 Insights reports for Arts and Technology » Agree to release Early Learning Action Plan 2022 A3 Summary report (with ERO). 	March 2023
Early Learning	Seek Cabinet agreement for the Parliamentary Counsel Office to draft changes to the regulations following consultation on aspects of tranche two of the regulatory review.	March 2023
NCEA Change Programme Te Whāriki	Approve NCEA Change Programme Implementation Business Case and Release of Budget 22 Tagged Contingency Funding.	March 2023
	Gazette the goals and learning outcomes of Te Whāriki He whāriki mātauranga mō ngā mokopuna o Aotearoa, including te ao Māori interpretations.	March 2023
	Gazette Taura Whāriki Te Katoa o te Mokopuna from Te Whāriki a te Kōhanga Reo.	March 2023
	Publicly consult on draft regulations that increase the proportion of qualified teachers in teacher-led, centre-based services and strengthen person responsible requirements.	March 2023
Refresh of the NZC	Discuss feedback from the September to December 2022 engagement on the refresh of <i>The New Zealand Curriculum</i> and next steps.	March 2023
Refresh of the Action Plan for Pacific Education	Refresh the Action Plan for Pacific Education, to include new Government actions and to include strategic commitment to Pacific languages in education.	March 2023
Attendance and Engagement Strategy	Decide on the draft measures / target for schools' first-level response to an unexplained absence – required for consultation with schools.	End of March 2023
Early Learning – New Equity Index	<ul style="list-style-type: none"> » Progress ongoing funding decisions » Discuss several technical judgements relating to the management of data limitations and quality, and model variables » Discuss potential delivery date of model to the sector. 	End of March 2023
Refresh of Action Plan for Pacific Education	Refresh the Action Plan for Pacific Education, to include new Government actions and to include strategic commitment to Pacific languages in education.	March 2023
2023 Legislation Programme	Introduce and pass two education Bills: the Education and Training Amendment Bill (No. 3) which will implement a new governance framework for the Wānanga sector, and the Education Regulatory Systems Amendment Bill.	March – September 2023
	Approve new regulations which would, alongside supports from the Ministry, implement the new planning and reporting framework for schools and kura.	July 2023
	Amend the Education (When State Schools Must Be Open) Regulations 2022 to reinstate the Minister's powers to set when schools must be open.	September 2023
Learning Support Delivery Model (LSDM)	For your decision, detailed work programme to strengthen and embed the LSDM.	Mid-April 2023
Review of how schools are resourced for teacher aides	Consultation open until 6 April. Ministry will report back through Accord to Ministers.	May 2023

NAME	DESCRIPTION	MILESTONE
Aromatawai	Seek agreement for us to develop a National Aromatawai strategy and action plan.	June 2023
Reform of Vocational Education	Decide on any changes to who is invoiced for work-based learning.	July 2023
Tertiary education funding	Approve funding determinations and fee regulation settings for tertiary education for the 2024 calendar year.	July 2023
Developing a response to the recommendations of the Māori Affairs Select Committee (MASC) Inquiry into Learning Support for Ākonga Māori	Ministry is supporting the MASC Inquiry, and provided the Committee with a departmental report, which was discussed on 29 June 2022. We are now awaiting the Committee's recommendations. Once these are received, the Ministry will provide advice to the Government on a response.	TBC
International education	Develop an Evaluation and Monitoring Framework for the New Zealand International Education Strategy 2022-2023.	TBC

NAME	DESCRIPTION	MILESTONE
Currently planned Cabinet papers		
9(2)(j)		
ENZ Board Appointments	Education New Zealand Board Appointments.	February 2023
Pay Parity Funding Review	Agree sector consultation on a new funding system.	March 2023
Introduction of two Education Bills	Introduce the Education and Training Amendment Bill (No. 3) and the Education Regulatory Systems Amendment Bill.	March 2023
Wānanga sector framework	Approve the introduction of legislation to establish an enabling Wānanga sector framework that would allow Wānanga to reconstitute themselves through Orders in Council.	March 2023
Further strengthening Pacific success: 2023 Refresh of the Action Plan for Pacific Education.	Approve the refreshed Action Plan for Pacific Education 2023.	April 2023
Pay Equity	Approve draw down existing contingency to settle the school Librarians and Library Assistants' and Science Technicians' Pay Equity Claims.	April 2023
	Agree in-principle to fund a pay equity settlement for the early childhood education employer parties to the Teachers' Pay Equity Claim.	May 2023
School planning and reporting regulations	Approve the regulations to support the implementation of the new planning and reporting framework for schools and kura.	June 2023
Highest Needs Change Programme	Report back to Cabinet with a Business Case and Work Programme to support implementation of the mixed model approach to supporting learners with the highest level of learning support needs.	June 2023
Māori medium and Kaupapa Māori education pathways work programme	Report back to Cabinet with the results of progress on work regarding leadership and prioritisation of the work programme in 2023, including the development of a formal Programme Business Case.	June 2023
School Opening Hours regulations	Approve amendments to the Education (When State Schools Must Be Open) Regulations 2022.	November 2023
Combined dispute resolution scheme	Agree to the rules for the new combined international student and domestic tertiary student dispute resolution scheme.	TBC

Annex 2: Education entity types and levels of independence

The following table depicts the different forms of entities and bodies and their levels of independence.

Type of entities and bodies	Ministerial influence
<p>Crown agents</p> <ul style="list-style-type: none"> » Responsible Minister: Minister of Education » Monitored by: Ministry of Education (note TEC is also monitored by MBIE) 	<p>ENZ, NZQA, and TEC</p> <ul style="list-style-type: none"> » Entity must “give effect to” policy that relates to the entity’s functions and objectives if directed by the Minister. » Responsible Minister sets direction through a Letter of Expectations (usually annually). » Entity must prepare a Statement of Intent (SOI) at least every three years, but the Responsible Minister can also direct an entity at any time to develop a new SOI. Draft SOIs must be provided to the Responsible Minister for comment and the entity must consider any comment before providing the final SOI for the Responsible Minister to present to the House of Representatives. » Before the start of each financial year, the entity must prepare a Statement of Performance Expectations (SPE) which must be provided, in draft form, to the Responsible Minister and any comments made by the Responsible Minister must be considered by the entity. The Responsible Minister must present the final SPE to the House of Representatives. » The entity must prepare an Annual Report and provide it to the Responsible Minister to present to the House of Representatives. » The Responsible Minister appoints board members through the Appointments and Honours Cabinet process.
<p>Schedule 4A (of Public Finance Act) companies</p> <ul style="list-style-type: none"> » Responsible: Treasury, Minister of Business, Innovation and Employment and Minister of Education » Shareholding Minister: Minister of Finance, Minister of Research, Science, and Technology, and Minister of Education » Monitored by: Treasury. <p>The Ministry of Education also monitors Education Payroll Limited’s delivery of school payroll.</p>	<p>N4L, Education Payroll Limited, Research and Education Advanced Network New Zealand (REANZ)</p> <ul style="list-style-type: none"> » Responsible Minister can set direction through a Letter of Expectations (usually annually). » Entity must prepare a SOI at least every three years, but the Responsible Minister can also direct an entity at any time to develop a new SOI. Draft SOIs must be provided to the Responsible Minister for comment and the entity must consider any comment before providing the final SOI for the Responsible Minister to present to the House of Representatives. » Before the start of each financial year, the entity must prepare a SPE which must be provided, in draft form, to the Responsible Minister and any comments made by the Responsible Minister must be considered by the entity. The Responsible Minister must present the final SPE to the House of Representatives. » The entity must prepare an Annual Report and provide it to the Responsible Minister to present to the House of Representatives. » The Responsible Minister appoints board members through the Appointments and Honours Cabinet process. » Schedule 4A companies are non-listed companies in which the Crown is the majority or sole shareholder. » The Companies Act 1993, Section 127, requires that shareholder approval by way of a resolution is required before a Schedule 4A company can enter into a major transaction, defined as a transaction having a value which is more than half the value of the company’s assets before the acquisition.
<p>School Boards</p> <ul style="list-style-type: none"> » Responsible Minister: Minister of Education » Monitored by: Ministry of Education 	<p>Boards of primary, secondary, State and integrated schools and distance learning</p> <ul style="list-style-type: none"> » Boards have numerous statutory responsibilities and must prepare an Annual Report. » Both the Minister and Secretary for Education have powers to intervene under the Education and Training Act 2020, to support a board with operational risks, or risk to the welfare or educational performance of their students. » A statutory intervention, along with non-statutory assistance, may happen when a board requests help, after an ERO review report and/or when a concern has been raised with the Ministry. The approval of interventions is delegated to senior Ministry staff, except for some cases of the dissolution of a board and appointment of a commissioner, when the Minister will be asked to approve a proposed intervention.

Type of entities and bodies	Ministerial influence
<p>Tertiary Education Institutions (TEIs)</p> <ul style="list-style-type: none"> » Responsible Minister: Minister of Education » Monitored by: TEC 	<p>Te Pūkenga, specialist colleges, universities and Wānanga</p> <ul style="list-style-type: none"> » TEIs must act in all respects as to give effect to the intention of Parliament. » TEIs must prepare an Annual Report. » The Minister has some additional powers in relation to Te Pūkenga. » Te Pūkenga has additional reporting requirements that are the same as for Crown entities. » Note: the Wānanga sector framework workstream proposes legislative changes that will allow Wānanga to reconstitute themselves as bespoke TEIs through Order in Council, and provide new accountability and monitoring arrangements.
<p>Independent Statutory Bodies</p> <ul style="list-style-type: none"> » Responsible Minister: Minister of Education » Not monitored 	<p>Teaching Council of Aotearoa NZ, NZ Council for Educational Research (NZCER)</p> <ul style="list-style-type: none"> » Minister has limited power to direct (the Minister can request information from the Teaching Council). » Body must have regard to any relevant statement of government policy. » Body must prepare an Annual Report. » Minister appoints one member to NZCER, and six members to the Teaching Council Governing Council, through the Appointments and Honours Cabinet process. » The Minister appoints members of the Teaching Council (either elected or appointed) to be Chairperson and Deputy Chairperson. » The Teaching Council must consult the Minister before making changes to the criteria for teacher registration or the standards for qualifications leading to teacher registration. <p>Workforce Development Councils (WDCs)</p> <ul style="list-style-type: none"> » The Minister of Education appoints members to two Workforce Development Councils (4 members to Ringa Hora Services WDC, and all members of Muka Tangata People Food and Fibre WDC). WDCs must consult the Minister before issuing a Statement of Strategic Direction at least once every three years, and supply the Minister with their Annual Reports.

Annex 3: Relevant legislation administered by the Ministry

Acts

The Ministry is responsible for the administration of the following substantive Acts.

Key Acts administered

- » Education and Training Act 2020
- » Children's Act 2014 (Part 3 – Children's Worker Safety Checking)

University Acts

- » Lincoln University Act 1961
- » Massey University Act 1963
- » University of Auckland Act 1961
- » University of Canterbury Act 1961
- » University of Waikato Act 1963
- » Victoria University of Wellington Act 1961

Scholarship Acts

- » Kitchener Memorial Scholarship Trust Act 1941
- » Ngarimu VC and 28th (Maori) Battalion Memorial Scholarship Fund Act 1945
- » Otaki and Porirua Trusts Act 1943
- » Queen Elizabeth the Second Post-Graduate Fellowship of New Zealand Act 1963
- » Queen Elizabeth the Second Technicians' Study Award Act 1970
- » Taranaki Scholarships Trust Board Act 1957

Other Acts

- » Education Lands Act 1949
- » Education Standards Act 2001
- » Māori Education Foundation (Abolition) Act 1993
- » Music Teachers Act 1981
- » New Zealand Council for Educational Research Act 1972
- » New Zealand Library Association Act 1939
- » Pacific Education Foundation Act 1972

Regulations

The following substantive sets of Regulations are in force and administered by the Ministry. Some minor Notices and Orders are not included.

Early learning

- » Education (Early Childhood Services) Regulations 2008
- » Education (Playgroups) Regulations 2008
- » Education (Registration of Early Childhood Services Teachers) Regulations 2004
- » Licensing Criteria/Certification Criteria

Schooling

- » Education (Board Elections) Regulations 2000
- » Education (Hostels) Regulations 2005
- » Education (School Attendance) Regulations 1951
- » Education (School Boards) Regulations 2020
- » Education (School Risk Management Scheme) Regulations 2003
- » Education (School Staffing) Order (note these are made the year ahead of taking effect so there is always an annual order)
- » Education (Stand-down, Suspension, Exclusion, and Expulsion) Rules 1999
- » Education (Surrender, Retention and Search) Rules 2013
- » United World Colleges Scholarship Regulations 1980
- » Education (When State Schools Must Be Open Regulations) 2022

National Student Number

- » Education (Education Review Office Authorised to Use National Student Numbers) Regulations 2019
- » Education (Statistics New Zealand Authorised to Use National Student Numbers) Regulations 2008
- » Education (Ministry of Social Development Authorised to Use National Student Numbers) Regulations 2012
- » Export Education Levy Regulations 2022
- » Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021
- » Education (Tertiary Education—Criteria Permanent Residents Studying Overseas Must Satisfy to be Domestic Students) Regulations 2016
- » International Student Contract Dispute Resolution Scheme Rules 2016
- » Education (Domestic Tertiary Student Contract Dispute Resolution Scheme) Rules 2021.

Broader statutory context

Other key legislation also impacts on education, including the Human Rights Act 1993, New Zealand Bill of Rights Act 1990, Health and Safety at Work Act 2016, Building Act 2004, Civil Defence Emergency Management Amendment Act 2002 and Epidemic Preparedness Act 2006. Key parts of the public sector legislative and accountability framework include the Public

Service Act 2020, Public Finance Act 1989, Crown Entities Act 2004, New Zealand Bill of Rights Act 1990, Official Information Act 1982, Ombudsman Act 1975, and the Public Audit Act 2001.

International obligations

The Universal Declaration on Human Rights, adopted in 1948, has formed the basis for nine core human rights treaties. Aotearoa New Zealand is party to seven of these. Aotearoa New Zealand is also a party to other Conventions, including a number specifically related to education such as the Convention Against Discrimination in Education.

Most Conventions require regular reporting from State Parties.

Sustainable Development Goals

In 2015, all UN member states adopted the 2030 Agenda, a blueprint for sustainable development which includes 17 goals, referred to as the Sustainable Development Goals (SDGs). The Ministry is responsible for reporting on SDG 4, which focuses on ‘ensuring inclusive and equitable quality education and promote lifelong learning opportunities for all’. Although the goals are not legally binding, countries are expected to report on their implementation.³ Aotearoa New Zealand presented its first Voluntary National Review report to the UN in 2019.

³ Similarly, although the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Organisation for Economic Co-operation and Development (OECD) recommendations are not legally binding, New Zealand is expected to address them as a member state.

Annex 4: Who we are

As of 30 June 2022, we had 4,085 full-time equivalents (FTEs), with approximately 70 percent of roles designed to support the frontline. Overall staff numbers increased in 2021/22 by 185 FTEs. This growth was supported by additional funding and enables us to:

- » provide support and services that are more locally responsive, accessible and integrated. This includes increases to the number of learning support specialists and frontline advisors (72.6 FTEs)
- » expand and improve the school property portfolio and the education sectors digital environment (64.7 FTEs)
- » support the NCEA Change Programme and the Curriculum refresh (35.1 FTEs).

Te Tāhuhu o te Mātauranga | Ministry of Education is led by Te Tumu Whakarae mō te Mātauranga | the Secretary for Education (Iona Holsted), with the support of the Hautū of the following business groups, leads the organisation to shape an education system that delivers equitable and excellent outcomes.

The Ministry provides central leadership, advice and services that support the sector, our Ministers and partner agencies. The Ministry is organised into 10 business groups that will provide you with targeted and specialised advice on all aspects of the education system.

Te Mahau

Te Mahau is a separately branded business unit within Te Tāhuhu to provide greater support to the education sector and others, so they can deliver inclusive education that meets the needs of ākonga and whānau. This provides real opportunities to make a much bigger difference for education and to work more closely with the sector we are

here to serve. Te Mahau provides an area of common ground for ākonga to be served and supported by the sector and us.

Three of the five groups within Te Mahau collectively lead the provision of integrated services to the sector and others and provide National portfolio leadership for key areas:

Te Mahau | Te Tai Raro (North) (Isabel Evans)
– Pacific National Portfolio Lead

Te Mahau | Te Tai Whenua (Central) (Jocelyn Mikaere) – Education to Employment National Portfolio Lead

Te Mahau | Te Tai Runga (South) (Nancy Bell)
– Early Learning National Portfolio Lead

These groups and staff in our regional offices are focused on the learner, their whānau and local community, listening and engaging to provide advice and support to meet local needs. Through their relationships they also help give priority to regional and local voices so that decision-making across the organisation is informed by needs at the frontline.

Te Mahau – Te Poutāhū | Curriculum Centre (Ellen MacGregor-Reid) provides leadership for the curriculum, which sets the direction for what and how ākonga are taught, and resources to support quality teaching.

Te Mahau – Te Pae Aronui | Operations and Integration (Sean Teddy) leads the provision of central services to Te Mahau and education organisations and provides nationally consistent service design, practice guidance and systems to support the frontline’s focus on flexible and responsive services.

Te Pou Tuarongo | Māori Education (Dr Daryn Bean) has a focus on lifting the cultural capability and Māori leadership across the Ministry by providing Māori expertise and advice. Te Pou Tuarongo also provides support for the implementation of Ka Hikitia and Tau Mai Te Reo to show that the Ministry's core work is making the difference that these strategies require.

Te Pou Ohumahi Mātauranga | Education Workforce (Anna Welanyk) is responsible for sector workforce strategy, teacher supply and employment relations, and maintaining a payroll service for the payment of employees of school boards of trustees. Te Pou Ohumahi Mātauranga is also our central point behind the growing Te Mahau takiwā support for leadership, including leadership advisors.

Te Pou Hanganga, Matihiko | Infrastructure and Digital (Scotty Evans) is responsible for the development of inclusive, accessible and integrated national, digital and physical infrastructure and transport services to the education system. This includes managing the school property portfolio.

Te Pou Kaupapahere | Policy (Andy Jackson) is responsible for strategic, financial and regulatory policy advice and analysis across the education system, covering Early Childhood, Schooling and Tertiary Education, including Māori Medium and Pacific education.

Te Pou Rangatōpū | Corporate (Zoe Griffiths) is responsible for the delivery of essential statutory and corporate functions that enable the organisation to operate effectively and fulfil its statutory obligations.

Te Tari o te Tumu Whakarae mō te Mātauranga | Office of the Secretary for Education supports the Secretary and acts as a central point for the ongoing change programme so that further changes align to intent and maintain momentum.

**PERMANENT EMPLOYEES FULL-TIME EQUIVALENT,
FULL-TIME AND PART-TIME BY REGION AS AT: 30 JUNE 2022**

MOE Group	Full/ Part-time	Auckland	Bay of Plenty	Canterbury	Gisborne	Hawkes Bay	Manawatu- Wanganui	Marlborough	Nelson
Te Mahau Te Tai Raro	Full-time	389							
	Part-time	79.31							
Overall		468.31							
Te Mahau Te Tai Runga	Full-time			164			13	6	32
	Part-time			38.78			11.42	2.3	8.48
Overall				202.78			24.42	8.3	40.48
Te Mahau Te Tai Whenua	Full-time		109		31	65	81		
	Part-time		35.48		4.46	12.46	13.73		
Overall			144.48		35.46	77.46	94.73		
Te Pae Aronui	Full-time	35	3	10.99	1	7	1		4
	Part-time	3.33		1		0.66			
Overall		38.33	3	11.99	1	7.66	1		4
Te Poutāhū (Curriculum Centre)	Full-time			2					
	Part-time								
Overall				2					
Te Puna Hanganga, Matihiko	Full-time	107	15	83		8	9		6
	Part-time	4.34	0.6	1.89		0.4			0.63
Overall		111.34	15.6	84.89		8.4	9		6.63
Te Puna Kaupapahere	Full-time		1						
	Part-time								
Overall			1						
Te Puna Ohumahi Mātauranga	Full-time								
	Part-time								
Overall									
Te Puna Rangatōpū	Full-time	11		1					
	Part-time			0.6		0.63			
Overall		11		1.6		0.63			
Te Tari o te Tumu Whakarae mō te Mātauranga	Full-time								
	Part-time								
Overall									
Te Tuarongo	Full-time	2	0.95						
	Part-time		0.95						
Overall		2							
Ministry Total	Full-time	544	128	260.99	32	80	104	6	42
	Part-time	86.98	37.03	42.27	4.46	14.15	25.15	2.3	9.11
Overall Ministry		630.98	165.03	303.26	36.46	94.15	129.15	8.3	51.11

MOE Group	Northland	Otago	Southland	Taranaki	Tasman	Waikato	Wellington	West Coast	Grand Total
Te Mahau Te Tai Raro	89								478
	11.12								90.43
Overall	100.12								568.43
Te Mahau Te Tai Runga		60	24		4		142	4	449
		14.75	7.36		1.4		34.91	2.78	122.18
Overall		74.75	31.36		5.4		176.91	6.78	571.18
Te Mahau Te Tai Whenua				27		128	4		445
				13.14		34.36			113.6
Overall				40.14		162.36	4		558.63
Te Pae Aronui	5	3	1	4		10	329		413.99
	1.6	0.95		0.8			14.92		23.26
Overall	6.66	3.95	1	4.8		10	343.92		437.25
Te Poutāhū (Curriculum Centre)						1	238		241
							6.57		6.57
Overall						1	244.57		247.57
Te Puna Hanganga, Matihiko	12	9	4	5		22	475		755
							12.34		20.2
Overall	12	9	4	5		22	487.34		775.2
Te Puna Kaupapahere							148		149
							16.28		16.28
Overall							164.28		165.28
Te Puna Ohumahi Mātauranga							79		79
							1.82		1.82
Overall							80.82		80.82
Te Puna Rangatōpū						3	250		265
							8.23		9.46
Overall						3	258.23		274.46
Te Tari o te Tumu Whakarae mō te Mātauranga							17		17
							0.6		0.6
Overall							17.6		17.6
Te Tuarongo							20		22
									0.95
Overall							20		22.95
Ministry Total	106	72	29	36	4	164	1702	4	3313.99
	12.72	15.7	7.36	13.94	1.4	34.36	95.67	2.78	405.38
Overall Ministry	118.72	87.7	36.36	49.94	5.4	198.36	1797.67	6.78	3719.37



**Te Tāhuhu o
te Mātauranga**
Ministry of Education

Te Kāwanatanga o Aotearoa
New Zealand Government